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November 21, 2025

BY ECF

The Honorable Brian M. Cogan
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Singh v. Quarantillo, 2:25-cv-06392

Letter Motion requesting Intervention in Respondents' Transfer of Petitioner in Direct Violation of Court-Ordered Stay of Removal

Dear Judge Cogan:

Undersigned counsel respectfully submits this emergency letter-motion to notify the Court that the Respondents have directly violated this Court's stay of removal order by transferring Petitioner to Elizabeth Detention Facility, New Jersey, after a stay on his transfer was issued. This conduct constitutes a clear violation of a federal court order and warrants immediate judicial intervention, including enforcement of the stay, return of Petitioner to the prior facility, and an Order to Show Cause why Respondents should not be held in contempt.

1. **Procedural Background**

On November 18, 2025, this Court granted Petitioner's Application for Order to Show Cause for a stay of removal, enjoining Respondents from transferring the Petitioner or taking any action that would frustrate the Court's jurisdiction over this matter [Dkt No. 5].

Despite this clear directive, on November 19, 2025, the Petitioner's Enforcement of Removal Operations ("ERO") officer, and an agent of the Respondents, called undersigned counsel and informed him of Respondents' plan to process the Petitioner's removal from the U.S., repeating yet again due to Petitioner's "final order of removal", when such an order does not exist. In response, undersigned counsel attempted to explain the scenario to the Officer again, but he was unbothered by the facts of the case. At the time, the Officer conveniently and capriciously

concealed from undersigned counsel of the Respondents' clear and premeditated intention of moving the Petitioner to another jurisdiction.

Today, on November 21, 2025, undersigned counsel discovered through Respondents' online ICE detainee locator service that the Petitioner has now been moved to Elizabeth Detention Center in New Jersey, without notice to the Court or counsel.

ICE's action directly contravenes the Court's stay, which by necessity preserves custodial stability to ensure meaningful access to counsel and ongoing judicial review. Federal courts have repeatedly held that transfers after the issuance of a stay constitute violations of the Court's jurisdiction and orders. See Chambers v. NASCO, Inc., 501 U.S. 32, 43 (1991); Shillitani v. United States, 384 U.S. 364, 370 (1966).

2. Communication with the U.S. Attorney's Office, Brooklyn

On the day of filing the Habeas petition, counsel for Petitioner received a call from Layaliza Soloveichik, Deputy Chief of Civil Division, U.S. Attorney's Office, to discuss the habeas petition. Pursuant to the discussion, undersigned counsel emailed the habeas petition and the Order to Show Cause to Ms. Soloveichik.

Today, undersigned counsel spoke with Senior Trial Counsel Elliot Schacter, informing them of the procedural history, and about the conversation that was had with the Petitioner's ERO officer, and finally regarding the Petitioner's transfer from the Eastern District of New York.

3. ICE's Transfer Is a Clear Violation of the Stay

The stay issued by this Court is binding on the Respondents and prohibits any action that undermines the Court's ability to adjudicate the petition. By transferring Petitioner, Respondents have disobeyed an Order by a Federal District Judge, compromised Petitioner's access to counsel, interfered with ongoing habeas review; and exceeded the limits of agency discretion in the face of a federal order.

Courts in this Circuit and nationwide uniformly hold that custody transfers that violate a stay of removal warrant immediate intervention, sanctions, and remedial orders to restore the status quo.

4. Request for Immediate Enforcement and Corrective Relief

In light of these facts, Petitioner respectfully requests that the Court:

a. Order Respondents to restore the Petitioner's stay of removal;
b. Direct DHS to return Petitioner to the original facility
c. Restrain Respondents from making any further transfers without leave of Court;
d. Require the United States Attorney's Office to file, within 24 hours, a declaration identifying:
    i. who ordered the transfer,

ii. the reason for the transfer, and
iii. whether Respondents acknowledge the stay violation; and
iv. Issue an Order to Show Cause why Respondents should not be held in civil contempt for violating the Court's stay.

Federal courts possess inherent authority to hold government agencies in contempt when they disregard judicial orders. See Chambers, 501 U.S. at 43. A transfer made after a stay has been issued is among the clearest and most well-recognized forms of contemptuous conduct. Without immediate judicial enforcement, Respondents have demonstrated a pattern of callous and untrustworthy tactics that could continue to disregard the stay, frustrating the orderly administration of justice. This relief is necessary both to cure the violation that has already occurred and to prevent further interference with the Court's jurisdiction.

5. Conclusion

For the reasons above, Petitioner respectfully requests that the Court:

1. Re-enforce the stay;
2. Order Petitioner's immediate return;
3. Prevent further unauthorized transfers;
4. Require prompt explanation from DHS; and
5. Issue an Order to Show Cause as to why Respondents should not be sanctioned for their contempt.

We thank you for your attention to this matter. Should you require any more information, please contact counsel at 212-428-2000, advdalbir@gmail.com

Respectfully Submitted,



Dalbir Singh, Esq.