U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

November 25, 2025

BY ECF
The Honorable Arun Subramanian
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Tall v. Joyce et al.*, No. 25 Civ. 9781 (AS)

Dear Judge Subramanian:

This Office represents the respondents in this case, in which petitioner Abdou Tall ("Petitioner") has filed a petition for a writ of habeas corpus challenging his immigration detention, ECF No. 1, and requested a temporary restraining order requiring U.S. Immigration and Customs Enforcement ("ICE") not to remove him from the Southern District of New York during the pendency of this case, ECF No. 2. On November 25, 2025, the Court entered an order "enjoin[ing] [respondents] from transferring petitioner to any location outside the Southern District of New York absent this Court's prior approval." ECF No. 12. The Court directed ICE to respond to Petitioner's motion by December 2, 2025. *Id.*

Petitioner is currently held at ICE's temporary hold room at 26 Federal Plaza pending placement at a detention facility, where he has been since he was detained on November 22. ICE has informed this Office that the Orange County Jail in Goshen, New York, ICE's only detention facility within the Southern District of New York, is currently at capacity and there is no space available at this time. Thus, ICE opposes the temporary relief sought by Petitioner, as there is currently no available bed space within the Southern District.

ICE would not oppose, and indeed requests, a modification of this Court's injunction to also include the District of New Jersey and the Eastern District of New York, as other judges have done in similar orders. *See, e.g.*, *Garcia Dolores v. Francis*, No. 25 Civ. 9601 (VSB), ECF No. 3; *Torres v. Francis*, No. 25 Civ. 9573 (ALC), ECF No. 3; *Campbell v. Almodovar*, No 25 Civ. 9509 (JLR), ECF No. 3; *Mejia Segovia v. Joyce*, No. 25 Civ. 9551 (DEH), ECF No. 5. Allowing ICE to detain Petitioner within nearby districts would enable him to be transferred to a detention facility that has a bed and shower, while maintaining his ability to access family and potential counsel nearby. *E.g.*, *Perez y Perez v. Noem*, No. 25 Civ. 4828 (DEH), 2025 WL 1908284, at *2 (S.D.N.Y. June 13, 2025) ("In light of Petitioner's interests in participating in further proceedings before this Court and in maintaining adequate access to legal counsel through these proceedings, Petitioner shall not be subsequently transferred except to a facility within this District, the Eastern District of New York, or the District of New Jersey absent further order of this Court.").

I thank the Court for its consideration of this submission.

Respectfully submitted,

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cc: Petitioner (by hand)