U.S. Department of Justice

United States Attorney
Eastern District of New York

271 Cadman Plaza East
Brooklyn, New York 11201

March 9, 2026

By ECF
Honorable Gary R. Brown
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Clarke v. Nassau County Correctional Center, et al.*,
Civil Action No. 25-cv-6773 (Brown, J.)

Dear Judge Brown:

This Office and Federal Respondents U.S. Department of Homeland Security and the Executive Office for Immigration Review respectfully submit this letter in supplemental response to Your Honor's February 11, 2026 Order.

At the outset, this Office reports that, subject to the Court's approval, U.S. Immigration and Customs Enforcement consents to, and the parties are prepared to stipulate to, Mr. Clarke's release without bond, *i.e.*, the revocation of the December 11, 2025 Order imposing a bond.

1. **Whether the Notice to Appear and Warrant for Arrest Preceded or Succeeded the Arrest**

The Warrant for Arrest ("Warrant") succeeded Mr. Clarke's arrest. As set forth in the enclosed declaration of Declaration of Supervisory Detention Officer John C. Diaz, the Warrant was not issued, as initially stated, prior to the arrest.

2. **The Status of the Lighting Changes at the CIHR**

It is now expected that GSA contractors will place filaments over the CIHR lighting system

either this week or next week.

Respectfully submitted,

JOSEPH NOCELLA, JR.
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