UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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John Doe,

Petitioner,

v.

Stipulation and Order of Dismissal

25-cv-6892 (Cogan, J.)

Metropolitan Detention Center Warden Raul Maldonado, Immigration and Customs Enforcement New York Field Office Director William Joyce, U.S. Department of Homeland Security Secretary Kristi Noem, and U.S. Attorney General Pamela Bondi,

Respondents.

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WHEREAS, Petitioner in the above-captioned action has filed a Petition for a writ of habeas releasing him from custody; and

WHEREAS, neither Petitioner nor Respondents concedes any defenses that party may have:

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the above-captioned action, through their undersigned counsel, that:

1. Petitioner agrees to dismiss this action without prejudice and without costs or fees;
2. U.S. Immigration and Customs Enforcement (ICE) agrees to a burden-shifted bond hearing for Petitioner – who is presently in removal proceedings – before an immigration judge, in which hearing ICE bears the burden of proving by clear and convincing evidence that Petitioner is a danger or flight risk. ICE further agrees that such a bond hearing incorporate any safeguards, related to Petitioner's competency, previously imposed by the immigration judge in the removal proceedings or any other

safeguards deemed appropriate by the immigration judge. Within two weeks of this stipulation being so-Ordered, ICE will seek the above-referenced burden-shifted bond hearing; and

3. ICE agrees that, if it chooses to appeal a decision by the immigration judge at the above-referenced hearing, it will not seek an automatic stay or discretionary stay of that decision.

Dated: Brooklyn, New York
January 9, 2026

BROOKLYN DEFENDER SERVICES
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By: _____
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Dated: Brooklyn, New York
January 9, 2026

JOSEPH NOCELLA, JR.
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By: */s/ Layaliza Soloveichik*
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SO ORDERED this
_____ day of January, 2026

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HONORABLE BRIAN M. COGAN
United States District Judge