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January 16, 2026

VIA ECF:
Honorable Karen Spencer Martson
Judge, United States District Court
5118 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1744

RE: *Carlos Daniel Vasquez Velasquez v. Jamison, et al.*,
E.D. Pa. Civ. No. 26-250-KSM

Dear Judge Marston:

Respondents submit this letter brief in accordance with the telephone conference on January 16, 2026 Order. Respondents file this letter brief to notify the Court if this case contained "meaningfully distinguishable facts" or issues than previous cases decided by this Court and in this District that found against Respondents' arguments. *See e.g.*, *Cantu-Cortes v. O'Neill, et al.*, No. 25-cv-6338, 2025 WL 3171639, at *1-2 (E.D. Pa. Nov. 13, 2025) (Kenney, J.); Anirudh *v. McShane, et al.*, No. 25-cv-6458 (E.D. Pa. Dec. 8, 2025) (Bartle, J.); *Juarez Velazquez v. O'Neill, et al.*, No. 25-cv-6191 (E.D. Pa. Dec. 3, 2025) (Henry, J.).

The Government is currently reviewing the Third Circuit's decision issued January 15, 2026 in *Khalil v. President, United States of America, et al.*, and its potential impact on section 1225(b)(2) cases such as this one. Respondents note that this Court ruled that *Khalil* is distinguishable in *Kourouma v. Jamison, et al.*, No.26-0182-KSM (January 15, 2026).

Respondents concede that this matter otherwise is legally and factually similar to other cases in this District. The Federal Respondents in this case respectfully remain of the view that their positions are correct and therefore—despite the weight of contrary decisions in this District—incorporate the arguments made in those cases into this letter brief to preserve them for appeal (if ultimately authorized by the Solicitor General).

Thank you for your consideration.

Respectfully,

DAVID METCALF
United States Attorney

/s/ Anthony St. Joseph
ANTHONY ST. JOSEPH
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Counsel for Petitioner