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January 20, 2026

VIA ECF:
Honorable John Milton Younge
Judge, United States District Court
4007 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1745

RE: *Christofer Bueno Jesus v. Jamison, et al.*,
E.D. Pa. Civ. No. 26-256-JMY

Dear Judge Younge:

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.); *Kashranov v. Jamison, et al.*, No. 25-cv-5555, 2025 WL 3188399 (E.D. Pa. Nov. 14, 2025) (J. Wolson); *Demirel v. Federal Det. Ctr. Philadelphia*, No. 25-cv-5488, 2025 WL 3218243, at *4 (E.D. Pa. Nov. 18, 2025) (J. Diamond); *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 two Judges in this district have found that *Khalil* is distinguishable and does not prevent jurisdiction. *See Kourouma v. Jamison, et al.*, No.26-0182-KSM (January 15, 2026); *Restrepo v. Jamison*, No. 25-cv-6518 (January 20, 2026) (J. Leeson).

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
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/s/ Anthony St. Joseph
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