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By ECF
February 18, 2026

The Honorable LaShann DeArcy Hall
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Caivanagua Sanchez, No. 26-cv-476 (DeArcy Hall, J).*

Dear Judge DeArcy Hall:

Petitioner respectfully moves for an order directing Respondents to file a full return pursuant to 28 U.S.C. § 2243 certifying the true cause of Petitioner's detention and producing all custodial documentation supporting that detention.

This habeas action was filed on January 28, 2026. The Petition challenges the legality of Petitioner's arrest and continued detention under the Fourth Amendment, 8 U.S.C. §§ 1225, 1226, and 1357, the Due Process Clause, and binding agency regulations. The central question presented is straightforward: under what lawful statutory authority is Petitioner currently detained, and was that authority validly invoked?

To date, that question has not been answered.

Respondents filed a February 5, 2026 letter addressing only the temporary restraining order. That submission did not address the merits of the habeas petition, did not identify the statutory basis for detention, did not certify the cause of detention, and did not produce the administrative record or any custodial documents. Petitioner remains detained without Respondents having formally articulated in this Court the legal and factual grounds for confinement.

Section 2243 provides that once a habeas petition is presented, *the Court shall "forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted," and that the custodian "shall make a return certifying the true cause of the detention."* The statute further contemplates expedition, providing that the return shall be made within three days unless additional time is allowed for good cause.

Habeas corpus is intended to provide a swift and imperative remedy against unlawful executive detention. *Fay v. Noia, 372 U.S. 391, 400 (1963).* The Supreme Court has emphasized that

freedom from physical restraint lies at the core of the liberty protected by the Constitution. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Where detention is challenged, the government must identify and justify the legal authority for custody.

Petitioner respectfully notes that the Court's January 29, 2026 Order directed Respondents to respond to the Temporary Restraining Order application but did not direct Respondents to show cause why the writ of habeas corpus should not be granted or to file the certified return contemplated by § 2243. Petitioner raises this only to seek clarification and to ensure that the statutory habeas framework is followed so that the merits of the Petition may be formally joined.

Petitioner therefore respectfully requests that the Court:

1. Issue an order pursuant to 28 U.S.C. § 2243 directing Respondents to show cause why the writ should not be granted;
2. Direct Respondents to file, within 48 hours, a full return certifying the statutory and factual basis for detention;
3. Require production of all custodial and administrative documents, including but not limited to any Form I-200 warrant, custody determination records, charging documents, and documentation reflecting the asserted statutory basis for detention; and
4. Set an expedited briefing schedule or hearing on the merits of the Petition.

Petitioner remains incarcerated while the statutory basis for detention has not been formally certified before this Court. Section 2243 contemplates prompt adjudication. Petitioner respectfully requests that the Court require compliance with that framework so that the legality of detention may be determined without further delay.

Respectfully submitted,

/s/ S. Michael Musa-Obregón

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