UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PETER FLORES CABALLERO,

Petitioner,

v.

TODD LYONS, Acting Director, Immigration and Customs Enforcement; MARKWAYNE MULLIN, Secretary of United States Department of Homeland Security; KENNETH GENALO, Immigration and Customs Enforcement, New York Field Office Director; ANTHONY J. LaROCCO, Nassau County Sheriff; TODD BLANCHE, Acting United States Attorney General,

Respondents.

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STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE

Civil Action No.
26-cv-0697 (GRB)

IT IS HEREBY STIPULATED AND AGREED, by and between the Petitioner Peter Flores Caballero and Respondents Todd Lyons, Acting Director of Immigration and Customs Enforcement ("ICE"); Markwayne Mullin[1], Secretary of the United States Department of Homeland Security; Kenneth Genalo, ICE New York Field Office Director; and Todd Blanche,[2] Acting United States Attorney General (collectively, "Federal Respondents"), through their undersigned counsel that:

1. This action shall be dismissed without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

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[1] Under Fed. R. Civ. P. 25(d), the successor of a party who is a public official is automatically substituted as the party to the suit. Therefore, Markwayne Mullin has been substituted for former Secretary Kristi Noem.

[2] Under Fed. R. Civ. P. 25(d), the successor of a party who is a public official is automatically substituted as the party to the suit. Therefore, Todd Blanche has been substituted for former Attorney General Pamela Bondi.

2. Petitioner's counsel reserves the right to pursue eligible attorneys' costs, expenses, and fees pursuant to the requirements outlined under Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d) & 5 U.S.C. § 504 *et seq*.

3. The Clerk of the Court shall enter a judgment in accordance with this Stipulation and Order.

Dated: Newark, New Jersey
May 3, 2026

LAW OFFICE OF ERIC M. MARK
Counsel for Petitioner
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By: /s/ *Eric M. Mark*
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Dated: Central Islip, New York
May 4, 2026

JOSEPH NOCELLA, JR
United States Attorney
Counsel for Federal Respondents
Eastern District of New York
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By: MARY DICKMAN Digitally signed by MARY DICKMAN Date: 2026.05.04 09:36:43 -04'00'
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So Ordered

May , 2026

HONORABLE GARY R. BROWN
U.S. District Judge E.D.N.Y.