UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

BHARATBHAI PATEL, *Petitioner*,	§	
	§	CIVIL ACTION NO. 1:26-cv-00211
v.	§	
BRET BRADFORD, *et al*., *Respondents*.	§	

SUPPLEMENTAL BRIEFING REGARDING DKT. NO. 11 AND MOTION TO DISSOLVE INJUNCTIVE RELIEF GRANTING STAY OF REMOVAL

Respondents ("the Government")[1] hereby file this supplemental briefing to support the Government's Response and Motion to Dismiss this matter for lack of jurisdiction. (Dkt. No. 11). In its Response, the Government argued that the Court lacked jurisdiction to entertain this claim under 8 U.S.C. 1252(g). (Dkt. No. 11). Following the hearing on February 25, 2026, the Court issued injunctive relief to preclude removal for 14 days while the Court took the matter under advisement. The Government maintains that the Court does not have jurisdiction to stay Petitioner's removal. The Fifth Circuit recently held that district courts do not have jurisdiction under 8 U.S.C. 1252(g) to issue a stay of removal, even to preserve the status quo, when an alien has a final order of removal. *Imran v. Harper*, No. 25-30370, 2026 WL 93131 (5th Cir. Jan. 13, 2026) (per curiam). This case cannot be distinguished from *Imran* because Petitioner has a final

[1] The proper respondent in a habeas petition is the person with custody over the petitioner. 28 U.S.C. § 2242; *see also* § 2243; *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). That said, it is the originally named federal respondents, not the named warden in this case, who make the custodial decisions regarding aliens detained in immigration custody under Title 8 of the United States Code.

order of removal. *See* Dkt. No. 11-4. In light of Petitioner's final order of removal, and given the Fifth Circuit's guidance in *Imran v. Harper*, No. 25-30370, 2026 WL 93131 (5th Cir. Jan. 13, 2026), the Court should dissolve the injunctive relief granted in this case.

Dated: March 5, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on March 5, 2026, the foregoing was filed and served through the Court's CM/ECF system.

s/ Alexander McDonough
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