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March 23, 2026

VIA ECF FILING

Honorable Joshua D. Wolson
Judge, United States District Court
12613 United States Courthouse
601 Market Street
Philadelphia, PA 19106-1744

Re: Amos Souza Santos v. J.L. Jamison, in his official capacity as Warden, Federal Detention Center, Philadelphia, *et al.*
Civil Action No. 2:26-cv-01817-JDW

Dear Judge Wolson:

Please accept this letter brief in response to the Court's March 20, 2026 Order that Respondents advise the Court "whether they oppose Mr. Santos's Petition and, if so, whether they intend to make any arguments other than those the Government made in *Kashranov v. J.L. Jamison*, Case No. 2:25-cv-05555-JDW, 2025 WL 3188399 (E.D. Pa. Nov. 14, 2025) and *Olimov v. Jamison*, No. 26-cv-532-JDW, 2026 WL 596155 (E.D. Pa. Mar. 3, 2026)." Dkt. No. 2.

Though Respondents oppose the Petition, they concede that this matter is legally and factually similar to recent cases decided by this Court, including those the Court mentions above. Respondents nevertheless respectfully remain of the view that their legal positions are correct and therefore—despite the great weight of contrary decisions by this Court and in this District—incorporate the arguments made in those cases into this letter

brief. [1]

Additionally, Respondents note — acknowledging that this Court has already considered and disagreed with — the U.S. Court of Appeals for the Fifth Circuit's precedential decision in *Buenrostro-Mendez v. Bondi*, 166 F.4th 494, 502 (5th Cir. Feb. 6, 2026), which reversed two district courts and held that 8 U.S.C. § 1225(b)(2)(A) requires the mandatory detention of noncitizens "seeking admission" to the United States, with no right to bond hearings. Respondents further argue that Petitioner is lawfully detained pursuant to 8 U.S.C. § 1225(b)(2) and the BIA's precedential decision in *Q. Li*.

The United States respectfully asks the Court to deny the Petition.

Respectfully submitted,

DAVID METCALF
United States Attorney

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cc: Marlee McCadden, Esq.

[1] The Government is pursuing appeals in the Third Circuit related to both statutory and constitutional due-process claims. The matters on appeal are *Lopes De Andrade v. Director Philadelphia Field Office Immigration and Customs Enforcement, et al.*, No. 26-1454 (3d Cir.), and *Buele Morocho v. Warden Philadelphia FDC, et al.*, No. 26-1150 (3d Cir.), which are now consolidated for all purposes. The Government's consolidated opening brief was filed on March 20, 2026. The Third Circuit granted the Government's motion to expedite the consolidated appeals and scheduled them for disposition by the Court during the week of May 11, 2026.