U.S. Department of Justice

United States Attorney
Eastern District of New York

610 Federal Plaza
Central Islip, New York 11722

April 4, 2026

Honorable Nusrat J. Choudhury
United States District Court Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Marvin Garcia Cabrera v. Genalo, et al.*
No. 26-cv-1977 (Choudhury, J.)

Dear Judge Choudhury:

This Office represents Respondents in the above-referenced action, in which Petitioner Marvin Garcia Cabrera ("Petitioner") filed a Petition for a writ of habeas corpus on April 2, 2026, challenging his detention by Immigration and Customs Enforcement ("ICE"). *See* ECF Dkt. # 1.

Yesterday at approximately 6:45 p.m., ICE released the Petitioner from ICE custody at the Metropolitan Detention Center ("MDC"). The undersigned advised Petitioner's counsel that Petitioner would be released and stayed in communication with counsel about and throughout the release process. The undersigned was informed that immigration counsel for the Petitioner, Hallie Lonial, met Petitioner for his release.

At the time of Petitioner's release, ICE made efforts to retrieve Petitioner's property and to release him with what it believed was all of Petitioner's property in ICE's possession. Following Petitioner's release, Petitioner's counsel indicated that some property – namely a phone, backpack and bible – might not have been returned. This Office promptly notified ICE, and ICE is investigating. This Office continues to be in communication with Petitioner's counsel and ICE regarding the potentially missing items and will coordinate with counsel to return any such items.

In light of Petitioner's release from custody, Respondents respectfully request that all deadlines, and the hearing currently scheduled for April 8, 2026, be adjourned.

Should the Court wish for Respondents to provide a status report regarding Petitioner's belongings, Respondents respectfully request that, in light of the holiday weekend and to give the parties additional time to investigate and confer, they be given until April 8, 2026 to provide such an update. Petitioner's counsel suggested that they would be amenable to retrieving any missing items next week.

Respondents thank the Court for its consideration of this submission.

Respectfully submitted,

JOSEPH NOCELLA, JR.
United States Attorney

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Cc: Counsel of record by ECF