U.S. Department of Justice

United States Attorney
Eastern District of New York

610 Federal Plaza
Central Islip, New York 11722

April 8, 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. Respondents respectfully submit this letter in response to the Court's Order dated April 4, 2026, requiring them to file a letter by today at 5 p.m. confirming that all of Petitioner's belongings have been returned to him.

As stated in Respondents' letter dated April 4, 2026 (ECF No. 7), Petitioner was released from ICE custody at approximately 6:45 p.m. on April 3, 2026. At the time Petitioner was released, ICE made efforts to retrieve all of Petitioner's property in its possession and released Petitioner with what it understood to be all of Petitioner's property. A few hours after Petitioner's release, Petitioner's counsel reached out to the undersigned stating that a few items -- namely a phone, backpack and bible – might not have been returned.

Upon further investigation, ICE's records reflect that, at the time Petitioner was detained, among the items that were surrendered were a phone and drawstring, but not a bible or backpack. As stated above, ICE made efforts to collect all of Petitioner's property in its possession prior to Petitioner's release, and believed at the time that all of Petitioner's property was being returned to him. Upon learning that Petitioner believes he is missing some property, ICE began investigating, including by contacting the three facilities in which Petitioner was detained, but, at the time of this filing, ICE has been unable to locate two items, namely a phone and keys, in its possession belonging to Petitioner.

Under these circumstances, Respondents respectfully request until April 15, 2026, to continue to locate the remaining items and provide the Court with an update. The undersigned has conferred with Petitioner's counsel who consents to this request.

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