U.S. Department of Justice

United States Attorney
Eastern District of New York

610 Federal Plaza
Central Islip, New York 11722

April 15, 2026

Honorable Sanket J. Bulsara
United States District Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Huerta Mayancela v. Blanche. et. al.*, No. 26-cv-2190 (Bulsara, J.)

Dear Judge Bulsara:

This Office represents Respondents in the above-captioned action, in which Petitioner Manuel Eduardo Huerta Mayancela ("Petitioner"), a foreign national from Ecuador present in the United States without being admitted or paroled, filed a petition for a writ of habeas corpus on April 14, 2026, challenging his detention by U.S. Immigration and Customs Enforcement ("ICE"). *See* Dkt. # 1 ("Petition"). Petitioner principally seeks an order from this Court directing Immigration and Customs Enforcement ("ICE") to immediately release him from detention alleging that his detention violates his due process rights because he is subject to 8 U.S.C. § 1226, not 8 U.S.C. § 1225. *Id.*

Respondents respectfully submit this letter in accordance with Your Honor's Order dated April 14, 2026, requiring Respondents to "inform the Court of Petitioner's current location, and [to] include information about any other locations where Petitioner has been held and the dates of any transfers since his initial detention," and to respond to the Petition.

Detention Background

Petitioner is a foreign national from Ecuador, who entered the United States at an unknown date and location. Declaration of Deportation Officer Dmitry Rousseau ("Decl."), ¶ 3.

On April 7, 2026, Petitioner was detained by the Nassau County Police ("NCPD") in connection with a traffic stop. Decl. ¶ 4. NCPD called ICE to confirm Petitioner's identity. Decl. ¶ 5. Record checks revealed that Petitioner was a citizen of Ecuador who had no immigration status or permission to be in the United States. *Id.* After a records check, a Warrant for Arrest of Alien, Form I-200, was issued. Decl. ¶ 6. ICE officers responded to the scene of the traffic stop. *Id.* Petitioner again confirmed that he is a citizen of Ecuador and has no status in the United States. *Id.* ICE identified and arrested Petitioner pursuant to the I-200. *Id.*; Ex. A.

On the same day Petitioner was personally served with a Notice to Appear ("NTA"), charging him as being inadmissible pursuant to Immigration and Nationality Act ("INA") § 212(a)(6)(A)(i), 8 U.S.C. § 1182(a)(6)(A)(i), as an alien present in the United States without being admitted or paroled, or who arrived in the United States at a time or place other than as designated by the Attorney General. Decl. ¶ 7. The NTA directed Petitioner to appear for a hearing before an Immigration Judge on April 21, 2026 at 201 Varick Street in New York, New York. *Id.*; Ex. B.

On April 7, 2026, Petitioner was booked into the Nassau County Correctional Center ("NCCC"). Decl. ¶ 8. On April 8, 2026, ICE transferred Petitioner from NCCC to Delaney Hall Detention Facility ("Delaney Hall"), located in Newark, New Jersey. Decl. ¶ 9. On April 13, 2026, ICE transferred Petitioner from Delaney Hall to the Metropolitan Detention Center, located in Brooklyn, New York, where he is presently detained pursuant to INA 235(b)(2)(A) (8 U.S.C. § 1225(b)(2)(A)). Decl. ¶ 10.

Discussion Regarding the Merits of the Petition

The statutory basis for detaining Petitioner is 8 U.S.C. § 1225(b)(2)(A). The legal issues presented in the Petition concern whether Petitioner's detention violates his due process protections, and the statutory authority for ICE's detention of Petitioner. Petitioner principally seeks an order from this Court directing ICE to release him from detention. While reserving all rights, including the right to appeal, Respondents submit this letter in lieu of a formal responsive memorandum of law to conserve judicial and party resources, and to expedite the Court's consideration of this case, in light of this Court's decision on the principal legal issues in *Bonilla-Romero v. Bondi, et al.*, 26-cv-0796, Memorandum and Order entered February 13, 2026, and other matters, including, but not limited to, *Parada Cruz v. Noem, et al.*, No. 26-cv-1110, Memorandum and Order entered February 27, 2026; *Magana v. Joyce, et. al*, No. 26-cv-835, Memorandum and Order entered February 13, 2026; *Sandoval v. LaRocco, et al.*, No. 26-cv-00832, Memorandum and Order entered February 13, 2026; *Rivera Orellana v. Noem, et al.*, No. 26-cv-0574, Memorandum and Order entered February 3, 2026; *Romero v. Bondi, et.al.* 26-796 on February 13, 2026; *Sandoval v. LaRocco, et al.*, No. 26-cv-00832 on February 13, 2026; *Magana v. Joyce, et.al.* No. 26-cv-835 on February 13, 2026; *Antonio Benitez v. Genalo, et al.*, No. 26-cv-1122 on February 27, 2026; *Omar Abreu v. Genalo, et al.*, No. 26-cv-1181on March 4, 2026; *Andrade Escobar v. Mullin, et. al.*, No. 26-cv-1661 on March 20, 2026; and *Garcia Xicay v. Leeper, et al.*, No. 26-cv-1833 on March 30, 2026. Respondents acknowledge that, should the Court follow its prior precedent here, they cannot prevail in this action.

However, Respondents respectfully note that on February 6, 2026, the Court of Appeals for the Fifth Circuit, while not binding on this Court, held that the government's interpretation of 8 U.S.C. § 1225 was correct. *Buenrostro-Mendez v. Bondi*, 166 F. 4th 494 (5th Cir. 2026). Further, on March 25, 2026, the Eighth Circuit Court of Appeals became the second U.S. Court of Appeals to hold that the government's interpretation of 8 U.S.C. § 1225, which mandates detention of non-citizens falling under its scope, is correct. *See Joaquin Herrera Avila v. Bondi et al.*, No. 25-cv-3248, 2026 WL 819258, *4 (8th Cir. Mar. 25, 2026) ("While ultimately 'Congress's purpose matters far less than what it wrote,' the purpose here nevertheless 'confirms what the statutory text already makes clear,' which is that § 1225(b)(2)(A) mandates the detention of unadmitted aliens already present inside the United States.") (quoting *Buenrostro-Mendez*, 166 F.4th at 508). Federal

Respondents further note that, in addition to *Saamishvili*, a number of decisions in this Circuit have endorsed the Government's interpretation of the relevant statutory provisions and have ruled in the government's favor on this issue. *See Alvarado Quezada v. Francis,* No. 26-cv-387, 2026 WL 380711, at *4 (S.D.N.Y. Feb. 11, 2026) (Cronan, J.)*; Arana v. Arteta*, 26-cv-240, 2026 WL 279786 (S.D.N.Y. Feb. 3, 2026) (Woods, J.); *Chen v. Almodovar*, 25-cv-9670, 2026 WL 100761, at *8-9 (S.D.N.Y. Jan. 14, 2026) (Cronan, J.); *Weng v. Genalo et al.*, No. 25-cv-09595, 2026 WL 184627, at *1 (S.D.N.Y. Jan. 23, 2026) (Rearden, J.); *Candido v. Bondi*, 25-cv-867, 2025 WL 3484932, at *2 (W.D.N.Y. Dec. 4, 2025) (Sinatra, J.); *Chen v. Almodovar, et al.*, No. 25-cv-8350, 2025 WL 3484855, at *7 (S.D.N.Y. Dec. 4, 2025) (Vyskocil, J.), notice of appeal filed Dec. 16, 2025; *Liang v. Almodovar*, No. 25-cv-9322, 2025 WL 3641512, at *8 (S.D.N.Y. Dec. 15, 2025) (Vyskocil, J.), notice of appeal filed Jan. 15, 2026. In addition, the Government has affirmatively appealed the grant of a habeas petition in *Cunha v. Moniz*, 25-cv-6532 (W.D.N.Y. Nov. 25, 2025) (concluding, *inter alia*, that Section 1226(a), not Section 1225(b)(2)(A), applied), *notice of appeal* filed Dec. 11, 2025, No. 25-3141 (2d Cir.). Oral argument in the *Cunha* appeal occurred on April 6, 2026, though, as of the date of this filing, no decision has been issued by the Second Circuit.

Accordingly, for the reasons set forth above, the government respectfully submits that there is no need for a hearing and the petition may be decided on submission.

Respectfully submitted,

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