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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Rodolfo Pena Estrada,

Petitioner,

vs.

Eric Rokosky, Warden, Eloy Detention Center, et al.,

Respondents.

No. 2:26-cv-4085-PHX-JJT (JZB)

Notice of Supplemental Authority Regarding Motion to Compel Respondents to Return Mr. Pena to the United States as a Sanction for Violating Court Orders

On October 6, 2026, Mr. Pena asked this Court to order the government to return him to the United States as a sanction for violating both General Order 26-09 and the Ninth Circuit's order staying his removal while a petition for review was pending. (Dkt. #27) In the attached order in *A.M.A.S. v. Mullin*, No. 2:26-cv-6601-PHX-JCH (D. Ariz. Oct. 6, 2026) (Dkt. #14), Judge Hinderaker granted mandamus relief and ordered the government to similarly rectify an unlawful removal of another detained noncitizen. Judge Hinderaker specifically ordered the government to "facilitate [the noncitizen's] release from custody in Equatorial Guinea [the country to which the noncitizen had been illegally removed] and his return to the United States and must ensure that his case is handled as it would have been handled had he not been improperly sent to Equatorial Guinea." *Id.* at 18.

Mr. Pena asks the Court to give Judge Hinderaker's order any appropriate consideration in conjunction with his request for sanctions.

Respectfully submitted: October 8, 2026.

JON M. SANDS
Federal Public Defender

s/Keith J. Hilzendeger
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