U.S. Department of Justice

United States Attorney
Eastern District of New York

271 Cadman Plaza East
Brooklyn, New York 11201

July 8, 2026

BY ECF
Honorable Ann M. Donnelly
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: *Cayamcela Caceres v. Mullin, et al.*, No. 26-cv-03759 (Donnelly, J.)

Dear Judge Donnelly:

This Office represents the Respondents in this habeas action. Respondents respectfully write in accordance with the Court's Scheduling Order dated July 7, 2026 ("July 7 Order"). The July 7 Order directed Respondents, in pertinent part, to file a letter regarding the discrepancy in the Government's letter response and the basis for its assertion that the Petitioner's removal is "imminent."

Petitioner is an Ecuadorian. *See* ECF No. 7-1, Declaration of Colin Quinn ("Quinn Decl.") ¶1. ICE has in its possession an Ecuadorian passport for Petitioner, which expired on September 5, 2019, and Petitioner's birth certificate. *Id.* ¶17.

Respondents' letter response to the Order to Show Cause, where it stated that "Petitioner's removal is also imminent: ICE has submitted a travel document package to the Guinean Embassy and is awaiting the Embassy's determination and the issuance of a travel document for Petitioner," ECF No. 7 at 8, were inadvertent statements made in error. By way of illustration, the removal of Petitioner was not imminent, and is not imminent, because of the Court's Order dated June 23, 2026 prohibiting ICE from removing Petitioner. The correct statements regarding Petitioner's removal appeared on page 3 of that letter:

> At the time of his arrest, ICE was in possession of an Ecuadorian passport for Petitioner, which expired on September 5, 2019, and Petitioner's birth certificate. Quinn Decl. ¶17. Ecuador accepts their nationals and citizens with any copy of national identification document(s) regardless of expiration dates. *Id.* Petitioner remains in custody for the purpose of effectuating his removal pursuant to INA § 241(a) [8 U.S.C. §1231(a)]. *Id.* This Court's Order dated June 23, 2026, prohibiting ICE from removing Petitioner, is presently the sole impediment from removal. *Id.*

The undersigned profusely apologizes for the inaccurate statements and for the resulting confusion to the Court.

Respondents thank the Court for consideration of this submission.

Respectfully submitted,

JOSEPH NOCELLA, JR.
United States Attorney

By: */s/ Tiffany Taveras*
TIFFANY TAVERAS
Special Assistant United States Attorney
(718) 254-6033
Tiffany.Taveras@usdoj.gov

cc: Andrea C. Soto (by ECF)