UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MAMADOU OURY DIALLO,

Petitioner,

v.

RAUL MALDONADO, JR., in his official capacity as Warden, Metropolitan Detention Center, Brooklyn;

JUDITH ALMODOVAR, in her official capacity as Acting Director of New York Field Office, U.S. Immigration and Customs Enforcement;

TODD BLANCHE, in her official capacity as Attorney General of the United States;

Respondents.

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STIPULATION AND ORDER OF DISMISSAL

Civil Action
No. 26-cv-4067

(Merle, J.)

WHEREAS, Petitioner in the above-captioned action has filed a Petition for a writ of habeas corpus requesting his release from custody; and,

WHEREAS, neither Petitioner nor Respondents concedes any wrongdoing or defenses that such parties may have:

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to the above-captioned action, through their undersigned counsel, that:

1. Petitioner agrees to dismiss this action without prejudice and without costs or fees;

2. Consistent with *Velasco Lopez v. Decker*, 978 F.3d 842, 856-57 (2d Cir. 2020), U.S. Immigration and Customs Enforcement ("ICE") and the Executive Office for Immigration Review ("EOIR") agree to a burden-shifted bond hearing for Petitioner before an immigration judge, in which hearing ICE bears the burden of proving by clear and convincing evidence that Petitioner is a danger to the community or a flight risk. In making such a determination and in setting any bond

amount, the immigration judge must consider both alternatives to detention and Petitioner's ability to pay. The above-referenced burden-shifted bond hearing must be held within 14 days of this stipulation being so ordered by this Court; and,

3. The parties agree that the Court retains jurisdiction over this matter to ensure compliance with the stipulation as so-ordered and, should the Court determine that the stipulation as so-ordered has not been complied with, also retains jurisdiction to grant Petitioner the relief he has sought.

Dated: New York, New York
July 9, 2026

LAW OFFICES OF MICHAEL Z. GOLDMAN
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By: /s/ Michael Z. Goldman
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Dated: Brooklyn, New York
July 9, 2026

JOSEPH NOCELLA, JR.
United States Attorney
Counsel for Respondents
Eastern District of New York
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By: */s/ Omar J. Siddiqi*
Omar J. Siddiqi
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SO ORDERED this
_____ day of July, 2026

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HONORABLE NATASHA C. MERLE
United States District Judge