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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

ANDRES FELIPE OME OSORIO, Petitioner, v. SERGIO ALBARRAN, et al., Respondents.	CASE NO. 5:26-cv-08783-PCP **STATUS REGARDING RELEASE**

Petitioner was released from Respondents' custody at the Immigration and Customs Enforcement Fresno Sub-Office at approximately 6:30PM on August 22, 2026.

At no point either in filings with this Court or in communications with Petitioner have Respondents claimed that the filing of a motion for reconsideration permits parties to disregard an existing court order.

On August 22, 2026, at 11:59AM, counsel for Petitioner shared via email the Court's grant of Petitioner's ex-parte motion for a temporary restraining order with the undersigned counsel. The Court ordered that Petitioner be released by 2:00PM on August 22, 2026. Dkt. No. 3. The Court also ordered a

status on release be filed by 5:00PM on August 24, 2026. *Id.*

At 12:20PM, immediately after reviewing the Court's order, the undersigned counsel for Respondents forwarded the Court's order to Immigration and Customs Enforcement. At that time, Petitioner was housed at the Golden State Annex in McFarland, California.

In order to safely effectuate a detainee's release, Immigration and Customs Enforcement needs to transport a detainee from the detention facility back to the local sub-office so that the detainee can be released by Immigration and Customs Enfrocement with their personal property and their necessary paperwork. Upon receiving the Court's order from counsel for Respondents, Immigration and Customs Enforcement began the necessary steps to arrange a transport from Golden State Annex to Fresno, California, which is the local sub-office that corresponds to the Golden State Annex. The distance between the Golden State Annex and the Fresno sub-office is 84 miles, which without traffic takes a transport approximately 1.5 hours.

Before Petitioner could be loaded onto the transport, he needed to be removed from the holding area at the Golden State Annex and processed for departure. The transport then needed to drive him to Fresno. Given all these logistics, it was not realistic or practicable for Respondents to comply with the Court's 2:00PM release order given that Immigration and Customs Enforcement only received actual notice of the release order no earlier than 12:20PM.

At 12:25PM on August 22, 2026, the undersigned emailed counsel for Petitioner, stating "Thank you for sharing the TRO order. I had not seen it. It has been forwarded to the agency. I will follow up with more information when I have it." Counsel for Petitioner did not respond to this email.

At 1:34PM on August 22, 2026, the undersigned emailed counsel for Petitioner and informed her that Respondents were "working towards release as fast as possible. The Court's 2:00PM release order is not safely possible under the circumstances. Your client was being held at the Golden State Annex in McFarland, California. He will be brought from McFarland to be released safely from the Fresno ERO office. The agency estimates that release will be completed in a few hours time. I will continue to update you." Counsel for Petitioner did not respond to this email.

At 5:30PM on August 22, 2026, the undersigned emailed counsel for Petitioner and informed her

that "The agency estimates he will arrive to Fresno for release at 630PM." Counsel for Petitioner did not respond to this email.

At 6:59PM on August 22, 2026, the undersigned emailed counsel for Petitioner and informed her that "I can confirm that your client was released at 630PM approximately." Counsel for Petitioner did not respond to this email.

At 10:07AM on August 24, 2026, the Court issued an order stating that "Respondents shall provide an update as to petitioner's detention status by 12 p.m. today." Respondents submit this status update in fulfillment of the Court's order.

Dated: August 24, 2026

Respectfully submitted,

CRAIG H. MISSAKIAN
United States Attorney

/s/ William Skewes-Cox
WILLIAM SKEWES-COX
Special Assistant United States Attorney

Attorneys for Respondents