UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AMY ABRANDA PERU,

Petitioner,

v.

CRAIG D. APPLE, in his official capacity as Sheriff of Albany County; CHRISTOPHER J. AMOIA, in his official capacity as Acting United States Marshal for the Northern District of New York; PHILIP RHONEY, in his official capacity as Acting Field Office Director, Buffalo Field Office, U.S. Immigration and Customs Enforcement; DAVID J. VENTURELLA, in his official capacity as Senior Official Performing the Duties of the Director, U.S. Immigration and Customs Enforcement; MARKWAYNE MULLIN, in his official capacity as Secretary of Homeland Security; TODD BLANCHE, in his official capacity as United States Attorney General,

Respondents.

Civil Action No.
9:26-cv-1650 (BKS)

NOTICE OF MOTION TO DISMISS

Federal Respondents hereby respectfully move to dismiss Petitioner's Emergency Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(b)(1). The following papers are attached to this Notice of Motion and filed in support of the Federal Respondents' motion: (1) Memorandum of Law in Support of Federal Respondents Motion to Dismiss. Pursuant to Local Rule 7.1, the Federal Respondents do not request oral argument. Papers in opposition and reply are to be filed and served pursuant to Local Rule 7.1(a)(1).

Dated: September 2, 2026

TODD BLANCHE
Attorney General

JOHN A. SARCONE, III

First Assistant United States Attorney

By: *s/ Alexis M. Osborne*
Alexis M. Osborne
Assistant United States Attorney
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