United States Department of Justice

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October 15, 2026

VIA CM/ECF
Hon. Anne M. Nardacci
U.S. District Judge
James T. Foley U.S. Courthouse
445 Broadway
Albany, NY 12207

RE: *Pereira Souza v. The Patrol Agent et. al.*
Civil Action No. 9:26-cv-2093 (AMN)

Dear Judge Nardacci:

Please accept this letter as Respondents' status report pursuant to the Court's Text Order issued on October 15, 2026. *See* Dkt. 6. The Court directed Respondents to inform the Court as to Petitioner's whereabouts, including if applicable the approximate times at which he departed the Northern District of New York and arrived in the Western District of New York.

On October 4, 2026, Petitioner was detained by United States Customs and Border Protection ("CBP") agents in Calcium, New York. That same day, Petitioner was transported to the Wellesley Island Border Patrol Station, located at 45764 Landon Road, Wellesley Island, New York 13640, where Petitioner has remained since being detained on October 4 and where he currently remains.

As noted by the Court, two Exhibits were filed on October 15, indicating that Petitioner's address was the Buffalo Federal Detention Facility. Dkts. 5-1, 5-2. CBP has informed that this address was entered because it is the standard custodial location used for individuals who are anticipated to be transferred to the custody of U.S. Immigration and Customs Enforcement ("ICE") for further immigration processing. In this instance, due to a lack of bed space at the time of detention, Petitioner was not transferred to ICE custody at the Buffalo Federal Detention Facility and instead was forced to remain at the Wellesley Island Border Patrol Station, which is not equipped to house detainees long-term. Accordingly, although the Buffalo Federal Detention Facility was listed in the Exhibits in anticipation of his transfer to Buffalo Federal Detention Facility, Petitioner always has since October 4, 2026, remained physically housed at the Wellesley Island Border Patrol Station.

In anticipation of bed space becoming available at Buffalo Federal Detention Facility, I had previously requested Petitioner's counsel's position regarding any potential modification of the Court's Text Order restricting Petitioner's transfer outside the Northern District of New York to include the Western District of New York. I have not yet received counsel's position on this matter.

Thank you for the Court's consideration of this matter.

Respectfully Submitted,

TODD BLANCHE
Attorney General

JOHN A SARCONE III
First Assistant United States Attorney

By: *s/ Alexis M. Osborne*
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