

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NICOLAI Z.....,	:	
	:	
Petitioner,	:	
	:	26-CV-684 (JMF)
-v-	:	
	:	<u>MEMORANDUM OPINION</u>
KRISTI NOEM, <i>the Secretary of the Department of</i>	:	<u>AND ORDER</u>
<i>Homeland Security</i> , et al.,	:	
	:	
Respondents.	:	
	:	
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JESSE M. FURMAN, United States District Judge:

Petitioner Nicolai Z....., who was detained by immigration authorities on or about January 27, 2026, petitions for the writ of habeas corpus under 28 U.S.C. § 2241. *See* ECF No. 1. By Order, the Court scheduled a conference today, January 27, 2026, at 4:30 p.m. and invited the parties to submit a joint letter, addressing, among other things, whether there is any basis to distinguish this case from *Guzman Cardenas v. Almodovar*, No. 25-CV-9169 (JMF), 2025 WL 3215573 (S.D.N.Y. Nov. 18, 2025) (and, if not, whether Respondents would consent to issuance of the writ — subject to preservation of Respondents’ arguments for appeal). *See* ECF No. 2.

The parties filed a joint letter in advance of the conference. *See* ECF No. 5. That letter states that “the parties agree that scheduled conference and full briefing is not necessary in this case given the Court’s prior decision in *Guzman Cardenas*, and the Court can decide this matter based on this submission.” *Id.* at 1. More specifically, Respondents concede that “the facts of this case are not materially distinguishable *Guzman Cardenas*” and that “the Court’s decision in *Guzman Cardenas* would control the result in this case if the Court adheres to that decision.” *Id.* at 2. The Court adheres to its decision in *Guzman Cardenas*. Accordingly, and in light of

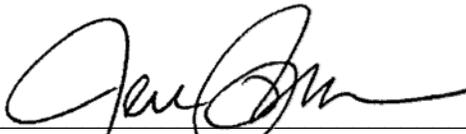
Respondents' concessions (even as they "reserve[e] all rights, including the right to appeal," *id.*), the Petition for the writ of habeas corpus is GRANTED.

**Respondents shall release Petitioner in this District — and file certification thereof — by TODAY, January 27, 2026 at 6:00 p.m.** The conference scheduled for today is hereby canceled as moot.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dated: January 27, 2026  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge