

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

SUNIL CHINTAMAN PENDSE,

Plaintiff,

v.

WARDEN, *et al.*,

Defendants.

No. 1:25-cv-19125

ORDER

THIS MATTER having come before the Court on Petitioner's Motion to Reopen and Enforce the Court's January 6, 2026 Habeas Order, (ECF No. 10), and Motion for Preservation and Production of Video Footage, (ECF No. 15), and good cause appearing,

IT IS on the 23rd day of February, 2026,

ORDERED that the Motion to Reopen, (ECF No. 10) is **GRANTED** and the case is **REOPENED** for the limited purpose of resolving the property and preservation issues raised, but enforcement of the January 6, 2026 Order is otherwise **DENIED** without prejudice at this time; and

ORDERED that the Motion for Preservation and Production, (ECF No. 15) is **GRANTED**; and

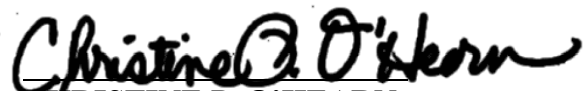
ORDERED that Respondents shall **immediately** preserve all video footage and associated metadata from the USCIS Cranbury Field Office and HSI Newark (620 Frelinghuysen Avenue) reflecting Petitioner's arrest, escort, transport, intake, and any handling, inventorying, storage, or transfer of his personal property from two hours before his arrival at USCIS Cranbury through two hours after his departure from HSI Newark, and shall file within 48 hours a certification confirming

that all routine deletion or overwrite functions have been suspended; and

ORDERED that within seven (7) days, Respondents shall produce such footage to the Court (or to Petitioner, subject to appropriate security restrictions) and shall file a supplemental affidavit from an HSI Newark official with personal knowledge setting forth, with documentary support, the date and time of Petitioner's arrival and departure, whether he arrived with a bag or other property, all property inventory forms or receipts created at HSI Newark, the chain of custody and storage location of the property while at HSI Newark, all steps taken to locate the property, and the full names, titles, and, if known, contact information of "Dave" and the other individual with whom Petitioner had his immigration appointment at USCIS Cranbury; and

ORDERED that if Respondents contend that any responsive footage or records do not exist or were overwritten, the affiant shall identify the specific camera(s) or record system, the applicable retention policy, the date of deletion, and the efforts made to retrieve or restore the material; and

FINALLY, the Court notes that federal courts in immigration habeas matters have required the return of detainees' personal effects and imposed coercive measures where compliance was not forthcoming, *see, e.g., Soto Jimenez v. Bondi*, No. 26-957 (D. Minn. Feb. 18, 2026), and expects strict compliance with this Order. Failure to comply may result in further evidentiary relief or sanctions as permitted by law.


CHRISTINE P. O'HEARN
United States District Judge