

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Pierre Hyppolite Grand	:	
<i>As Next of Friend to</i>	:	
	:	25-CV-4304 (NRM)
Jhon Peter Hyppolite	:	
	:	SCHEDULING ORDER
Petitioner,	:	
	:	
-v-	:	
	:	
LaDeon Francis, <i>in his official capacity as Acting</i>	:	
<i>Field Office Director of New York; Immigration</i>	X	
<i>and Customs Enforcement, Kristi Noem, in her</i>		
<i>official capacity as Secretary of Homeland</i>		
<i>Security, and Pam Bondi, in her official capacity</i>		
<i>as Attorney General,</i>		
Respondents.		

NINA R. MORRISON, United States District Judge:

This case has been assigned to me for all purposes. **To preserve the Court's jurisdiction pending a ruling in this matter, Petitioner shall not be removed from the United States unless and until the Court orders otherwise.** *See, e.g., Loc. 1814, Int'l Longshoremen's Ass'n, AFL-CIO v. New York Shipping Ass'n, Inc.*, 965 F.2d 1224, 1237 (2d Cir. 1992) ("Once the district court acquires jurisdiction over the subject matter of, and the parties to, the litigation, the All Writs Act [28 U.S.C. §

1651] authorizes a federal court to protect that jurisdiction”)¹; *Garcia-Izquierdo v. Gartner*, No. 04 Civ. 7377, 2004 WL 2093515, at *2 (S.D.N.Y. Sept. 17, 2004) (observing that, under the All Writs Act, 28 U.S.C. § 1651, a district court “may order that a petitioner’s deportation be stayed . . . when a stay is necessary to preserve the Court’s jurisdiction of the case”); *Khalil v. Joyce*, No. 25 Civ. 1935, ECF No. 9 (S.D.N.Y. Mar. 10, 2025) (barring the government from removing petitioner from the United States until the Court could address his claim); *cf. Michael v. I.N.S.*, 48 F.3d 657, 661-62 (2d Cir. 1995) (holding that the All Writs Act provides a federal court of appeals reviewing a final removal order with a basis to stay removal).

In light of Petitioner’s interests in participating in further proceedings before this Court and in maintaining adequate access to legal counsel through these proceedings, **it is further ORDERED that Petitioner shall not be transferred except to a facility within this District, the Southern District of New York, or the District of New Jersey absent further order of this Court.** *See Ozturk v. Trump*, No. 25 Civ. 374, 2025 WL 1145250, at *22–23 (D. Vt. Apr. 18, 2025) (ordering petitioner’s transfer from Louisiana to Vermont due, in part, to her pending

¹ In all quotations from cases, citations, footnotes, brackets, ellipses, and emphases are omitted unless otherwise indicated.

habeas petition), *stay and mandamus denied*, *Ozturk v. Hyde*, 136 F.4th 382, 403 (2d Cir. 2025); *Westley v. Harper*, No. 25 Civ. 229, ECF No. 7 (E.D. La. Feb. 2, 2025) (restraining respondents “from (a) attempting to remove petitioner from the jurisdiction of the United States District Court for the Eastern District of Louisiana to any location outside [the] district, and (b) removing petitioner from the United States”); *Sillah v. Barr*, No. 19 Civ. 1747, ECF No. 6 (S.D.N.Y. Feb. 25, 2019) (enjoining respondents from transferring defendant outside of the New York City area while defendant’s habeas petition was pending); *Campbell v. U.S. Immigr. & Customs Enf’t*, No. 20 Civ. 22999, ECF No. 13 (S.D. Fl. July 26, 2020) (granting a stay of petitioner’s transfer and prohibiting respondent “from transferring Petitioner to another detention facility during the pendency of the stay”); 28 U.S.C. § 1651(a) (empowering courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law”).

Absent further order of this Court, **the Government’s response shall be due September 8, 2025. Petitioner’s reply, if any, shall be due September 15, 2025.**

All counsel are required to register promptly as filing users on ECF. **All counsel must familiarize themselves with the Court’s Individual Rules,**

which are available at <https://www.nyed.uscourts.gov/pub/rules/NRM-MLR.pdf>.

Absent leave of Court obtained by letter-motion filed before the conference, all pretrial conferences must be attended by the attorney who will serve as principal trial counsel.

If this case has been settled or otherwise terminated, counsel are not required to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is filed on the docket prior to the date of the conference.

In accordance with the Court's Individual Rules and Practices, requests for an extension or adjournment may be made only by letter-motion filed on ECF and must be received at least two working days before the deadline or conference. The written submission must state (1) the reason for the request; (2) the original date; (3) the number of previous requests for adjournments or extensions; (4) whether any previous requests were granted or denied; (5) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent; and (6) proposed date(s) for adjournment or extension of time. The Court will hold a conference on the petition on **September 18, 2025 at 10:30 AM in Courtroom 6E North** of the Brooklyn federal court building.

Counsel for Respondents shall promptly enter notices of appearance.

The Clerk of the Court is respectfully directed to deliver a copy of this Order to the U.S. Attorney's Office at Richard.Hayes@usdoj.gov.

SO ORDERED.

Dated: August 8, 2025
Brooklyn, New York

/s/ Nina R. Morrison
Nina R. Morrison
United States District Judge