

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARCELO GOMES DA SILVA,)	
Petitioner,)	
)	
v.)	
)	Civil Action
PATRICIA HYDE Field Office Director;)	No. 25-11585-GAO
MICHAEL KROL, New England Special)	
Agent in Charge; TODD LYONS, Acting)	
Director U.S. Immigration and Customs)	
Enforcement; and KRISTI NOEM, U.S.)	
Secretary of Homeland Security,)	
Respondents.)	

ORDER

June 2, 2025

O'TOOLE, J.

On Sunday June 1, 2025, Marcelo Gomes Da Silva, a Brazilian national, filed through counsel a petition for a writ of habeas corpus seeking his release from custody. Doc. No. 1. Shortly thereafter, an Emergency Order Concerning Stay of Transfer or Removal directed the clerk to serve copies of the petition and Emergency Order on respondents and the United States Attorney for the District of Massachusetts. Doc. No. 2.

In order to provide the judge who would be randomly assigned the action a fair opportunity to review the merits of the petition and to rule on any contested issues of jurisdiction, respondents were ordered not to remove the petitioner from the jurisdiction of the United States or transfer petition to a judicial district outside that of Massachusetts for a period of at least 72 hours from the time the Order is docketed (June 1, 2025 at 1:35 pm). Id.

Upon review of the petition, the Court hereby orders as follows:

1. The Respondents shall file an answer or other responsive pleading within 14 days of the date of this Order.
2. In order to give the Court time to consider the matter, unless otherwise ordered by the Court, the petitioner shall not be moved outside the District of Massachusetts without providing the Court 48 hours' advance notice of the move and the reason therefor. Any such 48-hour notice period shall commence at the date and time such notice is filed and expire 48 hours later, except "if the period would end on a Saturday, Sunday, or legal holiday, the period continues to run until the same time on the next day that is not a Saturday, Sunday, or legal holiday." Fed. R. Civ. P. 6(a)(2)(C).

IT IS SO ORDERED.

/s/ George A. O'Toole, Jr.
GEORGE A. O'TOOLE, JR.
United States District Judge