

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

[REDACTED]

Petitioner,

v.

RAFAEL VERGARA, Warden of Adams
County Correctional Center,

Respondent.

No.: [REDACTED] DCB-BWR

NOTICE OF VOLUNTARY DISMISSAL

Petitioner [REDACTED] hereby voluntarily dismisses this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). Attached hereto as Exhibit A is a stipulation of dismissal signed by all the parties who have appeared in this action.

Mr. [REDACTED] filed his Petition for Writ of Habeas Corpus on November 5, 2025. Doc. 1. As of December 8, 2025, this matter was fully briefed and ripe for disposition in accordance with this Court's duty, when sitting in habeas, to reach a "swift, flexible, and summary determination of [the Petitioner's] claim." *Preiser v. Rodriguez*, 411 U.S. 475, 495 (1973) (citing 28 U.S.C. § 2243). Mr. [REDACTED] believed the Great Writ was the proper vehicle to seek a prompt ruling on the legality of his detention, which had become unreasonably prolonged and seemingly indefinite, without any concrete prospects in sight for a *lawful* removal. *See* Doc. 1 at ¶¶ 46–66; *see also Zadvydas v. Davis*, 533 U.S. 678 (2001). He, along with his wife and young sons in Georgia, maintained hope that for the seven months his petition was pending before the Court that justice would ultimately prevail. This was not the case.

In the months that Mr. [REDACTED] petition sat fully briefed before the Court, he filed notices

on January 27 and February 18, 2026 requesting a ruling from the Court, and on May 5, 2026 he filed a motion to expedite the adjudication of his petition. Docs. 17-19. Following a telephonic status conference, this Court ordered additional briefing from both Mr. [REDACTED] and the government. *See* May 20, 2026 Text-Only Order. By that time, Mr. [REDACTED] had been detained for over sixteen months, and subject to a final order of removal for almost a year.

Instead of providing the Court—or, critically, Mr. [REDACTED] the update that briefing would have required, the government carried out Mr. [REDACTED] deportation—swiftly, in the shadows, and without proper notice. Between June 10 and 12, federal government officials took Mr. [REDACTED] from the Adams County Correctional Center, sent him to another ICE detention facility in Louisiana for staging, loaded him and seventeen other people – many of whom, like Mr. [REDACTED] had been granted protection from deportation to their home countries by a U.S. immigration judge – onto a plane while fully restrained and deported them to the Central African Republic (“CAR”), in a region experiencing a deadly Ebola outbreak. This all occurred before he was afforded any due process for his repeatedly-articulated claims of fear of persecution and torture in CAR. He had no notice from ICE that he was being forcibly removed to CAR, so he took all legal actions he could. He moved to amend his petition to add statutory and constitutional claims regarding the process to which he is entitled before removal to a third country where he fears for his life. Doc. 23. He filed a motion for a TRO seeking emergency interim relief with respect to those claims. Docs. 24 & 25. He filed a Notice of Supplemental Evidence of Irreparable Harm in support of his TRO motion presenting expert testimony on country conditions in the CAR and the substantial risk of harm, injury, and death that he could face if deported there. Doc. 26. Mr. [REDACTED] expressly informed the Court in his filings that he was likely to be deported on June 11. Doc. 27. The next day, before Mr. [REDACTED] touched down in CAR, the government moved to dismiss rather

than complete the Court ordered briefing. Doc. 28. The motion to amend remains undecided, and Mr. [REDACTED] withdrew his TRO motion after the imminent harm he sought to prevent – his deportation to CAR in contravention of due process – came to pass. Docs. 29 & 30.

At this point, Mr. [REDACTED] must pursue other avenues to reunite with his family and seek safety and protection elsewhere in the world. The grievous harm Mr. [REDACTED] pleaded with this Court to prevent has come to pass. While dismissal spells the end of this case, the harm Mr. [REDACTED] and his family have suffered as a result of his prolonged detention does not simply disappear. Mr. [REDACTED] was in detention, in this district, for more than a year and a half, and for more than a year after receiving a final order of removal. His time in the United States was defined by his detention in Mississippi and by the excruciating months he spent awaiting a ruling.

Based on the foregoing and the attached stipulation of the parties, Petitioner [REDACTED] [REDACTED] hereby voluntarily dismisses his Petition for a Writ of Habeas Corpus.

Dated: July 15, 2026

Respectfully submitted,

s/ Korbin Felder
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[REDACTED]

**Admitted pro hac vice*

Pro Bono Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on today's date, I filed a copy of the foregoing document along with any attachments using the court's CM/ECF system, which will cause notice to be served electronically to all parties.

Dated: July 15, 2026

s/ Korbin Felder

Counsel for Petitioner

EXHIBIT A

UNITED STATES DISTRICT COURT
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v.

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Respondent.

No. [REDACTED] DCB-BWR

STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Petitioner [REDACTED] and Respondent Rafael Vergara hereby agree and stipulate to the voluntary dismissal of the above-styled action.

Dated: July 13, 2026

Respectfully submitted,

s/ Jessica Myers Vosburgh

Jessica Myers Vosburgh*

C.J. Sandley*

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