

IN THE SUPREME COURT OF THE UNITED STATES

No. 25-886

KENNETH GENALO, DIRECTOR OF THE NEW YORK FIELD OFFICE OF
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, ET AL., PETITIONERS

v.

KEISY G.M.

ON WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

MOTION FOR LEAVE TO DISPENSE WITH
PREPARATION OF A JOINT APPENDIX

Pursuant to Rules 21 and 26.8 of the Rules of this Court, the Solicitor General, on behalf of petitioners, respectfully seeks leave to dispense with the requirement of a joint appendix in this case. The questions presented are: (1) whether G.M.'s case is now moot; (2) whether there is a point at which an alien's detention under 8 U.S.C. 1226(c), pending a decision on whether he is to be removed, becomes "unreasonably prolonged," such that due process requires a bond hearing; and (3) if so, whether, in such a bond hearing, due process requires placing the burden on the government to justify the alien's continued detention by clear and convincing

evidence. The opinion of the court of appeals, the opinion of the district court, the order of the court of appeals denying rehearing en banc, G.M.'s amended petition for a writ of habeas corpus, and the relevant notice of custody determination are reproduced in the appendix to the petition for a writ of certiorari. In our view, no other portion of the record merits special attention such as would warrant the preparation and expense of a joint appendix, and preparation of a joint appendix would not materially assist this Court's consideration of this case. We are authorized to state that counsel for G.M. agrees that a joint appendix is not necessary.

Respectfully submitted.

D. JOHN SAUER
Solicitor General
Counsel of Record

JULY 2026