UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSE ARNULFO GUERRERO ORELLANA,

Petitioner-Plaintiff,

v.

ANTONE MONIZ, Superintendent, Plymouth Correctional Facility;

Respondents-Defendants.

Civil Action No. 1:25-cv-12664-PBS

RESPONDENTS-DEFENDANTS' MOTION FOR RECONSIDERATION OF THE SEPTEMBER 22 ORDER'S TRANSFER-NOTICE REQUIREMENT

Respondents-Defendants (Defendants) move, under Federal Rules of Civil Procedure 59(e) and 60(b)(1), (2), and (6), for reconsideration of and relief from the transfer-notice requirement set forth in the Court's Order dated September (ECF 212), which provides: "Defendants shall provide notice of the intended transfer outside of the First Circuit of any class member who requests a bond hearing to the class member, the class member's attorney (if known), and class counsel no fewer than 72 hours before the transfer is initiated." *Id.* at 2. The reasons for the Motion are contained in the accompanying Memorandum and supporting Declaration of Acting Deputy Field Office Director John Charpentier. Petitioner opposes the Motion.

Dated: October 20, 2026

Respectfully submitted,

BRETT A. SHUMATE
Assistant Attorney General

AUGUST FLENTJE
Deputy Director

SAMUEL P. GO
Assistant Director

By: /s/ *Katherine J. Shinners*
KATHERINE J. SHINNERS
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Counsel for Defendants

CERTIFICATE UNDER LOCAL RULE 7.1(a)(2)

I conferred with Petitioner's counsel about the relief requested in this motion via email on October 19, 2026. Petitioner's counsel stated that Petitioner opposes the relief requested.

By: */s/ Katherine J. Shinners*
KATHERINE J. SHINNERS
United States Department of Justice

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2026, I electronically filed this motion with the Clerk of the Court for the United States Court of for the District of Massachusetts by using the CM/ECF system.

By: */s/ Katherine J. Shinners*
KATHERINE J. SHINNERS
United States Department of Justice