

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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JULIO RAMIREZ,)
)
	Petitioner,)
)
	v.)
)
STEVEN W. TOMPKINS,)
Suffolk County Sheriff,)
YOLANDA SMITH,)
Superintendent of the South Bay House)
of Correction,)
TODD LYONS,)
Immigration and Customs Enforcement,)
Enforcement and Removal Operations,)
Acting Field Office Director,)
)
	Respondents.)
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C.A. No. 1:18-cv-12452-PBS

**NOTICE OF WITHDRAWAL WITHOUT PREJUDICE OF PETITIONER’S
EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND REQUEST
TO CANCEL FEDERAL WRIT OF HABEAS CORPUS AD PROSEQUENDUM**

On November 27, 2018, Petitioner Julio Ramirez filed an Emergency Motion for a Temporary Restraining Order in the above-captioned action, seeking *inter alia* an Order requiring that he be transported to his trial in Cambridge District Court on December 5, 2018. Mr. Ramirez was in fact brought to the hearing while the Motion was pending, and his trial is expected to begin today (the date of this Notice).

Accordingly, Mr. Ramirez hereby gives notice that he is withdrawing that Motion, without prejudice to the filing of a further or renewed such motion at an appropriate future time, and requests that the Court cancel the motion hearing currently scheduled for December 6, 2018.

In addition, because it is possible that Mr. Ramirez's trial will extend to a second day, he respectfully requests that the Writ of Habeas Corpus *ad prosequendum* issued by this Court on December 4, 2018, *see* Doc. No. 24, be cancelled in order to allow Mr. Ramirez to be present in Cambridge District Court on December 6, if necessary.

Dated: December 5, 2018

Respectfully submitted,

/s/ Christopher E. Hart

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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of December 2018, I electronically filed the foregoing document using the CM/ECF system, which will send notification of such filing to Respondents by electronically serving their counsel.

/s/ Christopher E. Hart _____
Christopher E. Hart