

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 13<sup>th</sup> day of April, two thousand eighteen.

Present:     Ralph K. Winter,  
              Rosemary S. Pooler,  
              Barrington D. Parker,  
                      *Circuit Judges.*

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Levy Alberto Jaen,

*Petitioner,*

v.

No. 17-1512

Jefferson B. Sessions III, United States Attorney General,

*Respondent.*

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Upon due consideration, it is hereby **ORDERED, ADJUDGED AND DECREED** that the petition for review is **GRANTED** and all removal proceedings against Petitioner are **TERMINATED**. The Department of Justice is **ORDERED** to effectuate the release of Jaen from detention forthwith, as the government has no authority to detain a United States citizen for the purpose of removal. An opinion shall follow in due course.

This mandate shall issue forthwith.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

  
