

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Miguel Angel ESCALANTE, *et al.*,

Plaintiffs,

v.

U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT, *et al.*,

Defendants.

No. 1:22-cv-541-RJL

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(i) and 41(a)(1)(B), Plaintiffs Miguel Angel Escalante, Kenet Jefet Hernandez Herrera, Anna Sorokin, and Ramon Dominguez Gonzalez (collectively “Plaintiffs”) submit this notice of voluntary dismissal of all claims, without prejudice, in the above captioned case.

On March 1, 2022, Plaintiffs filed this action challenging failure by U.S. Immigration and Customs Enforcement (“ICE”) and Department of Homeland Security (“DHS”) (collectively “Defendants”) to provide them with COVID-19 vaccine booster doses. Plaintiffs are all medically vulnerable people held in ICE detention while awaiting adjudication of their civil immigration cases. Plaintiffs were all eligible for and requested COVID-19 booster shots at their detention facilities, but were told that none were available, or that they should wait an indeterminate period of time, or their requests were simply ignored.

After Plaintiffs filed this action, Defendants coordinated to provide booster doses to Plaintiffs, who have now all received COVID-19 booster shots. As of Defendants’ response, three “Plaintiffs’ . . . claims have been rendered moot through the administration of a COVID-19 booster vaccination.” Defs.’ Mem. Resp. Pls.’ Appl. for TRO, Dkt. No. 9 at 2. Following

Defendants' response, the remaining Plaintiff also received an mRNA COVID-19 booster shot on March 9, 2022, and therefore had his claim rendered moot. *See* Defs.' Supp. Mem., Dkt. 10. Defendants have not filed an answer or a motion for summary judgment. No class has been certified in this case. Therefore, Plaintiffs hereby voluntarily dismiss this action, without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

March 11, 2022

Respectfully submitted,

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