

United States District Court

Southern District of Texas - Brownsville Division

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Case No.: 1:25-cv-00091

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
FILED

AUG 12 2025

NATHAN OCHSNER
CLERK OF COURT

To: Honorable Magistrate Judge Karen Betancourt

Subject: Urgent Opposition to Defendants' Motion for Summary Judgment and Request for Immediate Release of José Antonio Fuentes Carrillo

Honorable Judge:

I write to you as the "next friend" of my father, José Antonio Fuentes Carrillo (A# XXXXXXXXXX), to urgently bring to your attention alarming new developments that directly impact the fairness and integrity of this proceeding.

On August 11, 2025, ICE officers informed my father that he had a so-called "hearing" scheduled for August 12, 2025, despite this Court already setting a telephonic conference for August 20, 2025, to address the pending Motion for Summary Judgment. For several days, ICE officers have been pressuring him to sign documents that could amount to a waiver of his rights, in clear violation of his constitutional right to due process (Fifth Amendment) and his right to meaningful access to this Court.

My father suffers from hypertension, a serious medical condition. The coercive tactics ICE is currently using create a substantial and imminent risk of a hypertensive crisis that could cause serious injury or even death. This Court has already been informed of his medical vulnerability through the record, and ICE's current actions heighten the danger he faces in detention.

It is deeply concerning that ICE is attempting to proceed with removal efforts under INA § 235(b)(1) despite my father having already been granted protection under the Convention Against Torture (CAT). The government's attempt to remove him to a "third country" without valid travel documents - as my father possesses no passport and only holds a Venezuelan national identification card - is not only unlawful, but also directly contradicts the Supreme Court's decision in *Zadvydas v. Davis*, 533 U.S. 678 (2001), which prohibits indefinite detention where removal is not reasonably foreseeable.

Furthermore, the government's Motion for Summary Judgment should be denied. The record shows that ICE has not acted in good faith, has engaged in coercive conduct, and is now creating parallel proceedings

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designed to circumvent the authority of this Court. This constitutes an abuse of process and places my father's life in immediate jeopardy.

Honorable Judge, I respectfully urge - for both legal and humanitarian reasons - that you deny ICE's Motion for Summary Judgment, reject any pending removal attempt before this Court, and order the immediate release of my father.

It has been over five years since I last saw my father, and the last time was behind a cell in Venezuela. Since then, I have not been able to hug him or share a moment with him as a family. Here at home, we are waiting for him with open arms, and I ask from the bottom of my heart that you grant him the opportunity to reunite with us and live in peace.

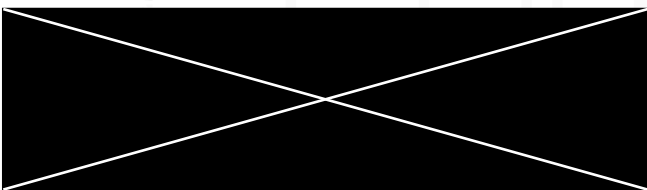
He has endured months of unjust detention, has already demonstrated his credible fear, and deserves the chance to be here, safe, with his family in the United States.

This is not only a legal matter, it is a human matter. The stakes could not be higher, and I trust in this Court's sense of justice to protect him from irreparable harm.

Respectfully,

Andres Fuentes

Next Friend of José Antonio Fuentes Carrillo



Email: andresfuentes2111@icloud.com

