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5 *Attorney for Petitioner-Plaintiff*

6 UNITED STATES DISTRICT COURT
7
8 FOR THE DISTRICT OF ARIZONA

9 SAUL AMEZCUA-PENALOZA,

10 Petitioner-Plaintiff,

11
12 v.

13 John CANTU, Field Office Director of Phoenix
Office of Detention and Removal, U.S. Immigrations
14 and Customs Enforcement; U.S. Department of
Homeland Security;
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16 Todd M. LYONS, Acting Director, Immigration and
Customs Enforcement, U.S. Department of Homeland
17 Security;

18 Kristi NOEM, in her Official Capacity, Secretary,
19 U.S. Department of Homeland Security; and

20 Pam BONDI, in her Official Capacity, Attorney
21 General of the United States;

22 Respondents-Defendants.
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Case No. 2:25-cv-02447-DJH-CDB

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PLAINTIFF'S STATUS UPDATE

1 On August 5, 2025, this Court granted Petitioner's Temporary Restraining Order,
2 ordering: "Petitioner shall be released from immigration detention. No bond is appropriate." Dkt.
3 14.

4 Petitioner Saul Amezcua-Penaloza was released from ICE custody the following day, on
5 August 6, 2025. However, rather than releasing him without further limitations on his liberty,
6 Defendants affixed a large ankle monitor to his leg and issued an order that he report for a check-
7 in on September 9, 2025. Prior to the unlawful re-detention that gave rise to this habeas petition,
8 Petitioner did not have an ankle monitor nor was he required to check-in with ICE.

9 Further, Defendants' "release" of Petitioner was to dump him at the Phoenix Greyhound
10 Bus station with just the clothes on his back. Defendants refused to return Petitioner's wallet, cell
11 phone, identification, or work authorization card—all of which he had on his person when he
12 was illegally arrested—leaving him without identification and any means to contact his family
13 from the Greyhound Station.

14 Defendants also gave no notice to undersigned counsel or Petitioner that he was being
15 taken to the Greyhound Station. Indeed, based on Defendants representations that he would be
16 released by 3pm on August 6, 2025, Petitioner's spouse had driven to the prison in Florence,
17 Arizona, where Petitioner had been detained to pick him up, only for ICE officials there to tell
18 her they did not know where he had been taken but that she needed to leave. Fearful that without
19 identification, he could be arrested by ICE again, Petitioner returned to Florence the same day of
20 his release to file a request for his belongings to be returned.

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Put simply: Defendants “released” Petitioner by leaving him on foot, on a record-high 116° day, 20 miles from his home.¹ But Defendants have not released him fully from custody as his liberty is still restricted by having an ankle monitor and mandatory ICE check-ins.

Dated: August 12, 2025

Respectfully submitted,

s/ Hillary Walsh

Hillary Walsh
Attorney for Petitioner Saul
Amezcu-Penaloza

VERIFICATION PURSUANT TO 28 U.S.C. 2242

I am submitting this verification on behalf of the Petitioner because I am one of Petitioner’s attorneys. I have discussed with the Petitioner the events described. Based on those discussions, I hereby verify that the factual statements made in the attached Status Update are true and correct to the best of my knowledge.

Executed on this August 12, 2025, in Phoenix, AZ.

s/ Hillary Walsh

Hillary Walsh
Attorney for Petitioner Saul
Amezcu-Penaloza

¹ Hayleigh Evans, *How Hot Was It in Phoenix? Heat Wave Sends Temperatures Soaring (and It's Not Over Yet)*, ARIZ. REPUBLIC (Aug. 7, 2025), <https://www.azcentral.com/story/news/local/phoenix-weather/2025/08/06/phoenix-sets-new-temperature-record/85552319007/>.

CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2025, I electronically transmitted this **PLAINTIFF'S STATUS UPDATE** to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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District of Arizona

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s/Hillary Walsh

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