

JS 44 (Rev. 04/21)

### CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Juan Carlos Garcia-Aleman

(b) County of Residence of First Listed Plaintiff Manor  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Georgia Santos Laurent | 13785 Research Blvd, Ste 105  
SanLaurent Law Group | Austin, TX 78750  
(512) 693-9343

**DEFENDANTS**

Bobby Thompson, Pamela J. Bondi, Miguel Vergara, Todd M. Lyons, Kristi Ngem

County of Residence of First Listed Defendant Frio County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)  
Lacy McAndrew

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORECLOSURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC §§1	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander		<b>INTELLECTUAL PROPERTY RIGHTS</b>	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<b>LABOR</b>	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 495 Securities/Commodities/Exchange
		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 800 Other Statutory Actions
<b>REAL PROPERTY</b>	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> Habeas Corpus:	<b>FEDERAL TAXSUITS</b>	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input checked="" type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General		<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> Other:		
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	<b>IMMIGRATION</b>	
		<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 462 Naturalization Application	
		<input type="checkbox"/> 555 Prison Condition	<input checked="" type="checkbox"/> 465 Other Immigration Actions	
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
28 U.S.C. § 2241

Brief description of cause:  
Unlawful Detention of Alien Having Granted Relief

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ \_\_\_\_\_ CHECK YES only if demanded in complaint: JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions): JUDGE Henry Bemporad/Judge Garcia DOCKET NUMBER 1:25-CV-0886-OLG-HJB

DATE

11/03/2025

SIGNATURE OF ATTORNEY OF RECORD

*[Signature]*

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAO, JUDGE \_\_\_\_\_

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<b>Juan Carlos Garcia-Aleman,</b>	§
Petitioner,	§ No. 1:25-CV-0886-OLG-HJB
V.	§
<b>Pamela J. Bondi,</b> Attorney General of the United States	§
<b>Bobby Thompson,</b> Warden, South Texas Ice Processing Center;	§
<b>Miguel Vergara,</b> Field Office Director, Ice San Antonio;	§
<b>Todd M. Lyons,</b> Acting Director, Ice;	§
<b>Kristi Noem,</b> Secretary, Department of Homeland Security.	§

**PETITIONER’S SUPPLEMENTAL BRIEF**

Petitioner Juan Carlos Garcia-Aleman (“Petitioner”), by undersigned counsel, submits this supplemental brief at the Court’s request to summarize the evidentiary record developed at the October 17, 2025 hearing before Magistrate Judge Henry J. Bemporad. This filing is timely: the certified transcript was filed on October 26, 2025, and this brief is submitted within fourteen days of that filing.

**I. Procedural Background**

Petitioner has lived in the United States since 2004. In 2013, an Immigration Judge granted Petitioner withholding of removal under 8 U.S.C. § 1231(b)(3), which bars removal to Mexico. From 2013 through 2025, Petitioner resided in Austin, Texas, under an Order of Supervision without incident, complied with all supervision conditions, appeared at all required check-ins, and has no criminal history after the 2013 grant. On June 5, 2025, Immigration and Customs Enforcement (“ICE”) detained Petitioner at a scheduled office visit in San Antonio and has held him since. Petitioner filed a Petition for Writ of Habeas Corpus on July 22, 2025, challenging the lawfulness of his continued detention and the revocation of supervision, and seeking restoration to supervised release and related relief. On October 17, 2025, an evidentiary hearing was held before

magistrate judge Honorable Henry J. Bemporad. On October 29, 2025, Petitioner filed a separate motion for a temporary restraining order. Judge Orlando Garcia denied the TRO, noting that the relief sought overlapped with the habeas relief already before the Court. This supplemental brief is filed solely to organize and synthesize the evidence presented by both parties at the October 17, 2025 evidentiary hearing and to assist the Court in resolving the habeas petition.

## **II. Summary of the Evidentiary Record: Petitioner's Proof**

First, the evidence established Petitioner's deep family and community ties and long-term compliance under supervision. Petitioner has a U.S. citizen spouse, two U.S. citizen children, and a U.S. citizen brother (Ex. 1). The record shows more than a decade of adherence to reporting requirements, with no new criminal conduct.

Second, the 2013 adjudication granting withholding of removal remains in force and prohibits removal to Mexico (Ex. 2). For twelve years, DHS administered Petitioner on supervision consistent with that order.

Third, the circumstances of Petitioner's June 5, 2025 detention demonstrate that the agency did not provide the contemporaneous process required by regulation. The record reflects no written revocation issued at the time of detention, no contemporaneous statement of reasons, and no informal interview upon return to custody affording Petitioner an opportunity to respond, notwithstanding 8 C.F.R. § 241.4(I). Petitioner further presented evidence that counsel promptly sought release and received only a cursory one-paragraph denial that did not analyze removal feasibility or regulatory compliance (Ex. 4).

Fourth, the evidence showed that only after the habeas petition was filed did ICE generate paperwork purporting to justify detention, including an August 11, 2025 "Notice of Decision to

Continue Detention” and a conclusory assertion that removal was “significantly likely in the reasonably foreseeable future,” which were not contemporaneously served on counsel (Ex. 5). ICE also produced a redacted copy of Petitioner’s OSUP (with page two blacked out) and later a “Notice of Alien Informal Interview Upon Revocation of Order of Supervision” asserting an interview occurred on August 11, 2025, despite Petitioner’s testimony that no such interview occurred and counsel’s un rebutted statement that requested attorney service was not provided (Ex. 6).

Fifth, Petitioner introduced the OSUP language and related testimony to clarify the scope of any obligations concerning consular contact. The page-two, pre-release condition required Petitioner to provide copies of requests to consulates for travel documents and any written responses. Before his 2013 release, Petitioner hand-wrote letters to three embassies and thus satisfied the requirement. Because no country responded, there were no “responses” to provide. Nothing in the OSUP imposed an ongoing duty to re-mail requests annually or indefinitely, and for twelve years ICE renewed supervision without alleging a violation on that basis (ECF No. 18 at 62).

Sixth, Petitioner established concrete harm from detention, including loss of his position as a Mechatronics and Robotics Technician at Amazon after an approved leave through September 7, 2025, resulting in the loss of the household’s sole income and significant destabilization (Ex. 3).

### **III. Summary of the Evidentiary Record: Respondents’ Proof**

First, Respondents presented testimony from ICE Supervisor Sergio Vasquez. Supervisor Vasquez testified that his knowledge was principally file-based and that he could not confirm that an informal interview actually occurred upon Petitioner’s return to custody. He referenced a “change in posture” associated with a change in administration rather than any individualized change in circumstances as contemplated by 8 C.F.R. § 241.4(l) (ECF No. 18 at 62).

Second, Respondents relied on the August 11, 2025 paperwork to support detention and to claim foreseeability of removal. However, the notices were generated months after the arrest and offered conclusory statements without identifying any accepting third country or concrete, country-specific removal plan. Respondents did not present evidence that the required country-specific protections and procedures—such as reasonable-fear processes connected to any proposed third country—had been provided.

Third, Respondents suggested that historic OSUP conditions supported revocation. The record, however, showed those conditions were pre-release, were satisfied in 2013, and were never invoked by ICE as a compliance problem during twelve years of supervision.

#### **IV. Legal Framework and Application to the Hearing Record**

The habeas petition challenges continued detention and revocation of supervision on three independent grounds. First, the evidentiary record demonstrates noncompliance with 8 C.F.R. § 241.4(l) and related custody-review requirements: no contemporaneous written revocation identifying reasons; no informal interview upon return to custody that afforded Petitioner an opportunity to respond; and no timely service on counsel despite a request for attorney service. The *post-hoc* paperwork generated on August 11, 2025 does not cure the initial failure to follow binding procedures. Agencies are required to comply with their own regulations, and decisions taken in contravention of those regulations cannot stand. In addition, the Petitioner was never afforded an informal interview, contrary to what the documents served on him show.

Second, the record establishes that removal is not reasonably foreseeable within the meaning of *Zadvydas v. Davis*, 533 U.S. 678 (2001). Removal to Mexico is barred by the 2013 withholding order, and the Government identified no accepting third country or concrete plan despite twelve

years of supervision and the months Petitioner has already spent in custody. Courts recognize that where the record shows non-foreseeability, continued detention is unauthorized under *Zadvydas* even without awaiting a rigid temporal threshold. The testimony and exhibits here mirror those circumstances: a longstanding bar to removal to Mexico, no evidence of a willing third country, and conclusory foreseeability assertions unsupported by concrete steps.

Third, the OSUP-conditions theory does not justify revocation or continued detention. The pre-release consular-contact requirement was satisfied in 2013 when Petitioner wrote to three embassies. With no replies, there were no responses to furnish, and nothing in the OSUP imposed a *perpetual* re-mailing obligation. ICE's consistent renewals of supervision over twelve years without alleging a violation on this ground further undercut any present attempt to rest detention on those historic conditions.

#### **V. Requested Habeas Relief**

The manner in which the Respondents have been conducting detentions reveals a deliberate strategy designed to emotionally and physically break noncitizens. The objective is transparent: to detain individuals indefinitely—even when there is no clear or lawful plan for their future—until they reach a point of desperation and request deportation themselves, even if doing so means returning to a country where they face persecution or death.

This approach undermines not only the humanity of those detained but also the integrity of our legal system. Rules, laws, statutes, and policies are not mere suggestions or bureaucratic hurdles; they are the framework that defines this nation's identity and its commitment to due process. When the government cuts corners in the name of expediency—when it normalizes violating rights to

facilitate the deportation of so-called “illegal” aliens—it sets a precedent that ultimately erodes the rights and protections of all people within our borders.

For the reasons confirmed by the hearing record and summarized above, Petitioner respectfully requests that the Court grant the habeas petition and order the following relief:

- (1) Declare that Petitioner’s ongoing prolonged detention violates the Due Process Clause of the Fifth Amendment and 8 U.S.C. § 1231(a);
- (2) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;
- (3) Order Respondents to file with the Court a complete copy of the administrative file from the Department of Justice and the Department of Homeland Security;
- (4) Enjoin ICE from transferring the Petitioner outside of the Western District of Texas while this matter is pending;
- (5) Award Petitioner attorney’s fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
- (6) Grant any further relief this Court deems just and proper.

**Respectfully submitted on November 3, 2025.**



Georgia Santos Laurent  
Attorney for Petitioner  
SanLaurent Law Group  
13785 Research Blvd, Suite 125  
Austin, TX  
FL Bar No. 0289377  
Admitted and Qualified to Practice as an Attorney in the Western District of Texas  
georgia@sanlaurentlaw.com  
512-693-9343

## INDEX OF EXHIBITS

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<b>2</b>	<b>Immigration Judge's order granting the Petitioner withholding of removal under the Convention Against Torture (CAT).</b>	<b>15</b>
<b>3</b>	<b>Email from Amazon, directing the Petitioner to resign from his job</b>	<b>17</b>
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# **EXHIBIT 1**

01-03542-2019

*United in Marriage*

To any person authorized by the laws of the State of Texas to conduct marriage ceremonies in the State of Texas:

**STATE OF TEXAS**  
*County of Travis*

You are hereby authorized to celebrate the  
**Rites of Matrimony**  
 between

**JUAN CARLOS GARCIA-ALEMAN and JANETH CARBAJAL**

and make due return to the County Clerk of Travis County within thirty days after performing the marriage, certifying your action under this license.

Witness my official signature and Seal of  
 Office in Austin, Texas  
 On this 18th day of July 2019 at 1:41 PM  
 Dana DeBorja, County Clerk, Travis County, Texas  
 by *[Signature]* Deputy  
 JAMES DUFFOS  
 JUL 18 2019  
 County Registrar 01-03542-2019  
 of the Marriage Records of Travis County, Texas  
 Dana DeBorja, County Clerk  
 by *[Signature]* Deputy

I, Judge Randall Sledge, hereby certify  
 on the 13th day of July, 2019  
 in Travis County, Texas, I solemnized in marriage  
 JUAN CARLOS GARCIA-ALEMAN and JANETH CARBAJAL  
 Signature of person performing ceremony: *[Signature]* JUDGE RANDALL SLEDGE  
 Justice of the Peace, Precinct 2, Travis County  
 Type of civil name and site of person performing ceremony  
 Witnessed by (optional):

This license cannot be used prior to: 5/9/2019 1:41:00 PM and must be used before: 08/04/2019



# **EXHIBIT 2**

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03/19/2013 13:24

7132729054

MACIAS& ASSOCIATES

PAGE 02

IMMIGRATION COURT  
5520 GREENS ROAD  
HOUSTON, TX 77032

In the Matter of:

Case No:



GARCIA-ALEMAN, JUAN

Applicant

IN WITHHOLDING-ONLY PROCEEDINGS

On Behalf of the Applicant

On Behalf of the DHS

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on Jan 28, 2013 and is issued solely for the convenience of the parties. If the proceedings should be appealed or reopened, the oral decision will become the official opinion in the case.

ORDER: It is hereby ordered that the applicant's request for:

[ ] 1. Withholding of Removal under INA 241(b) (3) is:  
[ ] Granted  
 Withdrawn  
[ ] Denied

[ ] 2. Withholding of Removal under the Convention Against Torture is:  
 Granted  
[ ] Withdrawn  
[ ] Denied

[ ] 3. Deferral of Removal under the Convention Against Torture is granted.

Date: Jan 28, 2013

SAUL E. GREENSTEIN  
Immigration Judge

APPEAL: ~~NO~~ APPEAL by ICE  
APPEAL DUE BY: 2/27/13

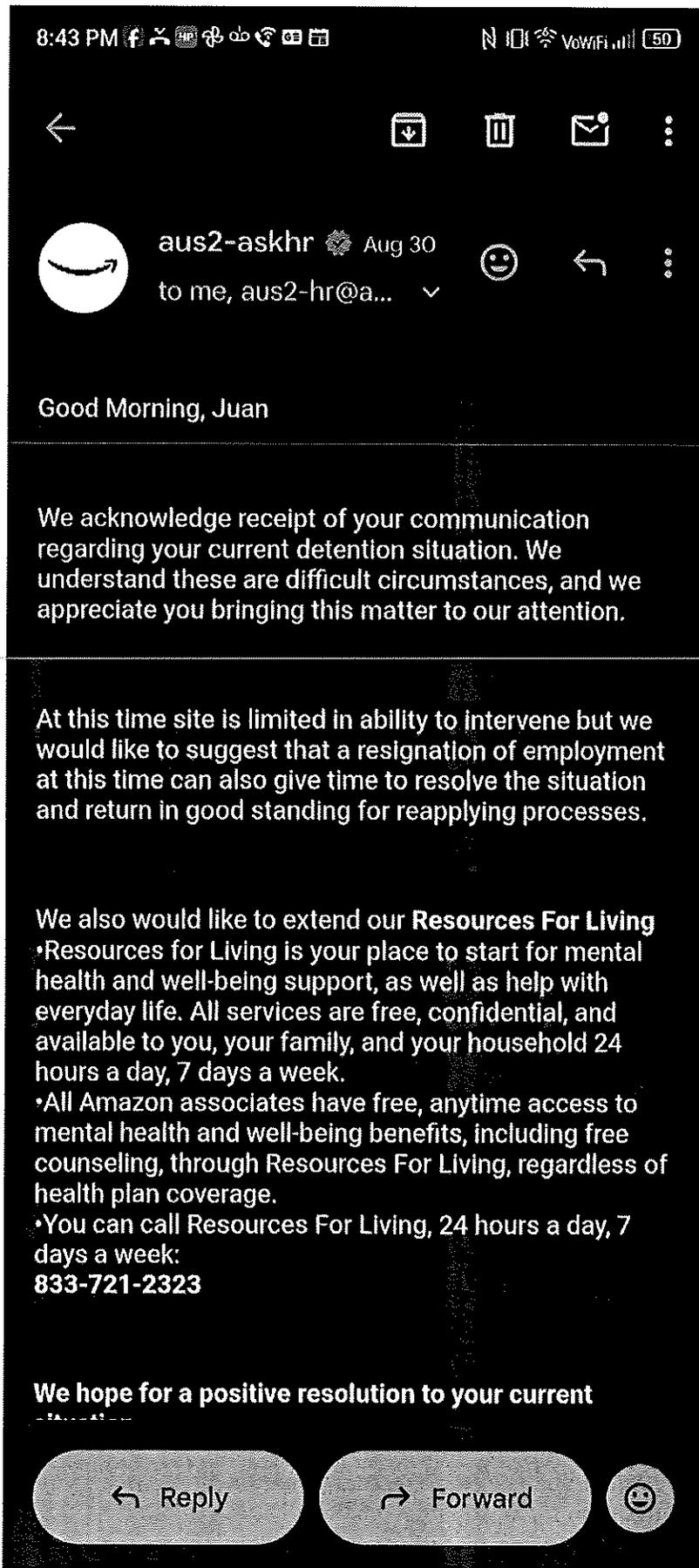
CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)  
TO: [ ] ALIEN [ ] ALIEN c/o Custodial Officer [P] ALIEN'S ATT/REP (M) DHS  
DATE: 28, JANUARY 2013 BY: COURT STAFF T. YOUNG  
Attachments: [ ] EOIR-33 [ ] EOIR-28 [ ] Legal Services List [ ] Other

05

# **EXHIBIT 3**

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# **EXHIBIT 4**

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*Enforcement and Removal Operations*

U.S. Department of Homeland Security  
San Antonio Field Office  
1777 N.E. Loop 410, Suite 1500  
San Antonio, TX 78217



U.S. Immigration  
and Customs  
Enforcement

JUN 30 2025

Georgia Santos  
P.O. Box 459  
Cedar, TX 78630  
abogadageorgia@gmail.com

RE: Request for release for GARCIA, Aleman, Juan A 

Dear Ms. Santos,

The San Antonio Field Office, Enforcement and Removal Operations, received your request for release on behalf of your client.

I have reviewed your client's case and the correspondence submitted. Based upon the documentation received, I find the totality of circumstances do not support the favorable exercise of discretion. Accordingly, the request for release will not be approved.

Respectfully,

A handwritten signature in black ink, appearing to read "D. Subia".

Daniel Subia  
Assistant Field Office Director  
South Texas ICE Processing Center

# **EXHIBIT 5**

**Immigration History/Timeline of Key Events**  
**Juan Carlos Garcia Aleman**

**08/19/2006** – Immigration Judge James Nugent issued an order of removal against Mr. Garcia-Aleman.

**06/28/2013** – Immigration Judge Saul Greenstein granted withholding of removal under the Convention Against Torture (CAT).

**03/07/2013** – ICE placed Mr. Garcia-Aleman on an Order of Supervision (OSUP). Before release, ICE required him to handwrite three letters to three countries asking them to accept him as a resident. After compliance, he was released and consistently followed all supervision conditions.

**2013–2025** – Mr. Garcia-Aleman fully complied with OSUP requirements, reported regularly in San Antonio, TX, and maintained a clean record (no arrests, no tickets).

**06/05/2025** – Mr. Garcia-Aleman was taken into ICE custody after a regular ICE check in. At that time, he was told that the officers had orders from above to detain him. No other explanation was given.

**From 06/16/2025 - 07/20/2025** - Petitioner's counsel sent numerous requests for release and post-custody review requests to ICE.

**06/30/2025** - ICE sent by email a Denial of Petitioner's Counsel's Requests for Release.

**07/22/2025** – Filed Petition for Writ of Habeas Corpus.

**08/11/2025** – ICE informed Petitioner that an informal interview would be conducted. Petitioner requested that all papers be served on his lawyer. No papers were served and no interview took place. On the same date, Federal Respondents filed their Response to the Habeas Petition, attaching a redacted copy of the OSUP (second page completely blacked out).

**08/14/2025** – Petitioner filed Reply to Federal Respondents' Response to Writ of Habeas Corpus.

**10/15/2025** – Petitioner filed a Memorandum of Law with exhibits and relevant case law.

**10/17/2025** – Evidentiary hearing conducted before Magistrate Judge Henry J. Bemporad. At the hearing, counsel was served with a **NOTICE OF DECISION TO CONTINUE DETENTION**, the second page of OSUP (showing conditions), and a **NOTICE OF AN "ALIEN INFORMAL INTERVIEW UPON REVOCATION OF ORDER OF SUPERVISION"** signed by Officer Mark Gonzalez, claiming an interview was conducted on 08/11/2025 (though none occurred).

**10/20/2025** – ICE emailed counsel a **NOTICE OF DECISION TO CONTINUE DETENTION**, alleging significant risk to public safety and flight risk—without evidence, facts, change in circumstances, or removal plan. In a separate email, ICE sent a **NOTICE TO ALIEN OF INTERVIEW FOR REVIEW OF CUSTODY STATUS**, scheduling an interview for **11/19/2025 at 11:00 a.m.** at the South Texas ICE Processing Center in Pearsall, TX, to review his possible release.

# **EXHIBIT 6**

ALIEN INFORMAL INTERVIEW  
UPON REVOCATION OF ORDER OF SUPERVISION UNDER  
8 C.F.R. § 241.4(l); 8 C.F.R. § 241.13(l)

STATEMENT OF Garcia Aleman, Juan [Detainee]

A File # 

Detention Location South Texas ICE Processing Center

INTERVIEWING ICE OFFICER: Mark Gonzales, Deportation Officer, STIPC  
[Print Name, Title & Duty Station]

On 08/11/2025, I conducted an initial informal interview of the detainee listed above in order to afford the alien an opportunity to respond to the reasons for revocation of his or her order of supervision stated in the notification letter. At the interview, the alien made the following oral response regarding the reasons for revocation:

*Subject stated that any paperwork can be provided to his attorney. Subject provided attorney name and phone number.*

*Georgia Santos Laurent (512) 693-9348*

The detainee [did] not provide a written statement. The detainee [did] not provide any documents. Any documents provided are attached.

  
Signature of Interviewing Officer

FOR INTERNAL USE ONLY

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**FOR INTERNAL USE ONLY**

# **EXHIBIT 7**

Department of Homeland Security  
Immigration and Custom Enforcement

**Order of Supervision-Addendum**

File No: A ~~XXXXXXXXXX~~  
Date: March 7, 2013

Name: GARCIA-Aleman, Juan Carlos

- That you do not associate with known gang members, criminal associates, or be associated with any such activity.
- That you register in a substance abuse program within 14 days and provide the INS with written proof of such within 30 days. The proof must include the name, address, duration, and objectives of the program as well as the name of a program counselor.
- That you register in a sexual deviancy counseling program within 14 days and provide the INS with written proof of such within 30 days. You must provide the INS with the name of the program, the address of the program, duration and objectives of the program as well as the name of a counselor.
- That you register as a sex offender, if applicable, within 7 days of being released, with the appropriate agency(s) and provide the INS with written proof of such within 10 days.
- That you do not commit any crimes while on this Order of Supervision.
- That you report to any parole or probation officer as required within 5 business days and provide the INS with written verification of the officer's name, address, telephone number, and reporting requirements.
- That you continue to follow any prescribed doctors orders whether medical or psychological including taking prescribed medications.
- That you provide the INS with written copies of requests to Embassies or Consulates requesting the issuance of a travel document.
- That you provide the INS with written responses from the Embassy or Consulate regarding your request.
- Any violation of the above conditions will/may result in revocation of your employment authorization document.
- Any violation of these conditions may result in you being taken into Service custody and you being criminally prosecuted.

# **EXHIBIT 8**

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*Enforcement and Removal Operations*

U.S. Department of Homeland Security  
San Antonio Field Office  
1777 NE Loop 410, Suite 1500  
San Antonio, Texas 78217



**U.S. Immigration  
and Customs  
Enforcement**

GARCIA-Aleman, J  
South Texas ICE Processing Center  
566 Veterans Drive  
Pearsall, TX 78061

A# 

### **Decision to Continue Detention**

This letter is to inform you that your custody status has been reviewed, and it has been determined that you will not be released from the custody of U.S. Immigration and Customs Enforcement (ICE) at this time. This decision has been made based on a review of your file, and upon review of the factors for consideration set forth at 8 C.F.R. § 241.4(e), (f), and (g).

As explained below, after such review, ICE has determined to maintain your custody because:

- Pose a significant risk to public safety
- Pose a significant risk of flight pending your removal from the United States.

ICE has made such determination based upon that you are under a final order of removal. ICE expects to encounter no delay in effecting your removal. You will remain in ICE custody pending removal from the United States.

Based on the above, you are to remain in ICE custody pending your removal from the United States as ICE is unable to conclude that the factors set forth at 8 C.F.R. § 241.4(e) have been satisfied. You are advised that you must demonstrate that you are making reasonable efforts to comply with the order of removal and that you are cooperating with ICE's efforts to remove you by taking whatever actions ICE requests to affect your removal. You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 U.S.C. § 1253(a).

If you have not been released or removed from the United States at the expiration of the three-month period after this 90-day review, jurisdiction of the custody decision in your case will be transferred to the ICE Headquarters (ERO Removal Division), Potomac Center North, 500 12<sup>th</sup>

[www.ice.gov](http://www.ice.gov)

**Decision to Continue Detention**

GARCIA-Aleman, J A# 

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Street SW, Washington, DC 20536. The ERO Removal Division will thereafter conduct a custody review and will make a determination regarding whether you will continue to be detained pending removal or may be released.

To assist in the ERO Removal Division custody review, you will be afforded a personal interview. You and your representative who has filed a Form G-28, Notice of Entry of Appearance, if any, will be notified of the date and time of the interview approximately 30 days prior to the scheduled interview date. This interview may be in person or through a video teleconference. If ERO needs to change the date of the interview, ERO will provide notice to you and your representative who has filed a Form G-28, Notice of Entry of Appearance, if any.

You may be accompanied during the interview by a person of your choice, subject to security requirements at the detention facility, as long as this person is able to attend the interview at the scheduled time.

You may submit any additional documentation in English you wish to be considered in support of your release at the time of the interview or via mail service up to five business days prior to the scheduled time of your interview to the following address:

**South Texas ICE Processing Center (STIPC)  
566 Veterans Drive  
Pearsall, Texas 78061**

Such documentation should contain a cover letter indicating that the material is submitted in support of your Post Order Custody Review personal interview. An attorney or other person may submit materials on your behalf.

You are required to complete the below information.

I do \_\_\_\_\_ do not \_\_\_\_\_ want a personal interview.

If you do want an interview, please check the appropriate box(es) below:

Check this box if you need an interpreter for your interview.  
Language/Dialect: \_\_\_\_\_

I will be assisted at this interview by a representative of my own choosing.

Name: \_\_\_\_\_

If your representative has not filed a G-28, Notice of Entry of Appearance, on your behalf, you are responsible for notifying any other person you have selected to assist you of the date, time, and location of the interview. The representative must be at least 18 years of age.

**Decision to Continue Detention**

GARCIA-Aleman, J A# 

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You will be sent a separate Notice to Alien of Interview for Review of Custody Status approximately 30 days before the interview is scheduled. If you wish to request additional time to prepare for the interview, you must notify your deportation officer within five business days of receipt of the Notice of Interview. If ERO agrees to postpone the interview at your request, you will be deemed to have waived its completion prior to jurisdiction over your case transferring to the ERO Removal Division.

You will be notified of the decision in your case when the custody review has been concluded by the ERO Removal Division.

**DANIEL J SUBIA** Digitally signed by DANIEL J SUBIA  
Date: 2025.10.16 20:47:21 -05'00'

(A) Deputy Field Office Director, Daniel Subia \_\_\_\_\_ Date \_\_\_\_\_

**PROOF OF SERVICE**

(Officer to complete both (a) and (b) below.)

(a) I G. Tristram \_\_\_\_\_, Deportation Officer \_\_\_\_\_,  
Name of ICE Officer Title  
certify that I served GARCIA-Aleman, Juan \_\_\_\_\_ with a copy of  
Name of detainee  
this document at STIPC \_\_\_\_\_ on 10/17/25 \_\_\_\_\_ at 0941 \_\_\_\_\_  
Institution Date Time

(b) I certify that I served the custodian G. Tristram \_\_\_\_\_,  
Name of Official  
DO \_\_\_\_\_, at STIPC \_\_\_\_\_, on  
Title Institution  
10/17/25 \_\_\_\_\_ with a copy of this document.  
Date

Detainee Signature: Refused to sign \_\_\_\_\_ Date: \_\_\_\_\_

( ) cc: Attorney of Record or Designated Representative  
( x ) cc: A-File

# **EXHIBIT 9**

U.S. Department of Homeland Security  
San Antonio Field Office  
1777 N.E. Loop 410, Suite 1500  
San Antonio, TX 78217



**U.S. Immigration  
and Customs  
Enforcement**

Garcia Aleman, Juan



South Texas ICE Processing Center

**Notice to Alien of Interview for Review of Custody Status**

U.S. Immigration and Customs Enforcement (ICE) periodically reviews the custody status of detained aliens who have final orders of removal, deportation, or exclusion. You are required to cooperate with ICE in effecting your removal from the United States.

In determining whether you may be recommended for release, ICE will consider whether there is a significant likelihood of your removal in the reasonably foreseeable future, and whether you pose a danger to the community or pose a risk of flight.

You will be interviewed for this purpose and you are scheduled to appear for this interview on: 11/19/2025 at: 1100 hours, at South Texas ICE Processing Center, Pearsall, Texas  
(Date) (Time) (Location)

to discuss whether or not you will be recommended for release. If you wish for additional time to prepare for the interview, you may request that the interview date be postponed. If the hearing is rescheduled at your request, you waive the right to have the interview prior to the date that jurisdiction over your custody status shifts to the Enforcement and Removal Operations Removal Division under 8 C.F.R. § 241.4(c)(2).

In determining whether you may be released, ICE may consider, but is not limited to considering the following:

1. Whether your removal is significantly likely in the reasonably foreseeable future;
2. Criminal convictions and criminal conduct;
3. Other criminal history and immigration history;
4. Sentence(s) imposed and time actually served;
5. History of escapes, failures to appear for judicial or other proceedings, and other defaults;
6. Probation history;
7. Disciplinary problems while incarcerated;
8. Evidence of rehabilitative effort or recidivism;
9. Equities in the United States;
10. Cooperation in obtaining your travel document; and
11. Any available mental health reports.

You are required to complete the information on the following page. You will be notified of the decision in your case when the custody review has been concluded.

Garcia Aleman, Juan  
A ~~XXXXXXXXXX~~

I do  do not \_\_\_\_\_ want a personal interview.

If you want an interview, please check the appropriate box(es) below:

Check this box if you need an interpreter for your interview.  
Language/Dialect: \_\_\_\_\_

I will be assisted at this interview by a representative of my own choosing.

Name: Georgia Santos

I understand I must notify this person of the time and place of my interview. The representative must be at least 18 years of age.

You may submit any additional documentation you wish to be considered in support of your release at the time of your interview. English translations must be provided pursuant to 8 C.F.R. § 103.2(b)(3).

Signature of Respondent: \_\_\_\_\_  
**Subject Refused To Sign**

**PROOF OF SERVICE**

(Officer to complete both (a) and (b) below.)

(a) I Robert Taylor, Deportation Officer,  
Name of ICE Officer Title  
certify that I served Garcia Aleman, Juan with a copy of  
Name of detainee  
this document at South Texas ICE Processing Center, Pearsall, Texas on 10/20/2025, at 11.08  
Institution Date Time

(b) I certify that I served the custodian Robert Taylor JR  
Name of Official  
Deportation Officer, at the South Texas ICE Processing Center, on  
Title Institution  
10/20/2025 with a copy of this document.  
Date

- cc: Attorney of Record or Designated Representative
- cc: A-File

**VERIFICATION OF COUNSEL**

I, Georgia Santos Laurent, hereby certify that I am familiar with the case of the named Petitioner and that the facts as stated above are true and correct to the best of my knowledge and belief.

November 3, 2025.



Georgia Santos Laurent  
Attorney for Petitioner  
SanLaurent Law Group  
13785 Research Blvd, Suite 125  
Austin, TX  
FL Bar No. 0289377  
Admitted and Qualified to Practice as an Attorney in the Western District of Texas  
georgia@sanlaurentlaw.com  
512-693-9343

**CERTIFICATE OF SERVICE**

I certify, in accordance with the rules of this Court, I filed the foregoing via the Court's CM/ECF system, which will send notice to all registered counsel of record.

November 3, 2025.



Georgia Santos Laurent  
Attorney for Petitioner  
SanLaurent Law Group  
13785 Research Blvd, Suite 125  
Austin, TX  
FL Bar No. 0289377  
Admitted and Qualified to Practice as an Attorney in the Western District of Texas  
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