

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

LUCAS CABRERA-HERNANDEZ,

Petitioner,

v.

BOBBY THOMPSON, Warden, South Texas
Immigration Processing Center; **PERRY GARCIA**,
Warden, La Salle County Regional Detention Center
Sylvester M. Ortega, Acting Director of San Antonio
Field Office, U.S. Immigration and Customs
Enforcement; **TODD LYONS**, in his official capacity as
Acting Director of Immigration and Customs
Enforcement; **KRISTI NOEM**, Secretary of the U.S.
Department of Homeland Security; and **PAMELA**
BONDI, Attorney General of the United States,
in their official capacities,

Respondents.

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)
) Case No. 5:25-cv-01094
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) **NOTICE OF STIPULATED**
) **VOLUNTARY DISMISSAL**
) **PURSUANT TO RULE 41(a)(1)(ii)**

On September 2, 2025, Petitioner filed his petition for a writ for habeas corpus, challenging the legality of the 8 C.F.R. Sec. 1003.19(i)(2), used to “automatically” prevent execution of an immigration judge (“I.J.”)’s order of release from immigration detention on bond, pending the Department of Homeland Security (“DHS”)'s appeal of the I.J.’s order of release on bond to the Board of Immigration Appeals (“BIA”). On October 21, 2025, the BIA made a decision granting DHS’s appeal, vacating the I.J.’s order of Petitioner’s release on bond. Thus, Petitioner’s challenge to the legality of the automatic stay regulations is moot.

The parties stipulate to voluntary dismissal without prejudice, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).

Respectfully submitted,

Justin R. Simmons
United States Attorney

Lucas Cabrera-Hernandez
Petitioner

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Attorneys for Federal Respondents

Counsel for Petitioner

Dated: October 29, 2025