

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

SIXTO HERNANDEZ HERNANDEZ,

Petitioner,

v.

JEFFREY CRAWFORD, et. al.,

Respondents.

Case No: 1:25-CV-1565-AJT-WBP

**PETITIONER'S EMERGENCY MOTION FOR MODIFIED
ORDER**

Undersigned Counsel, on behalf of Petitioner Sixto Hernandez Hernandez (“Mr. Hernandez”) respectfully requests that the Court modify the Court’s order dated October 16, 2025.

Counsel represents as follows:

1. Counsel also represents Mr. Hernandez in his removal proceedings before the immigration court.
2. Mr. Hernandez had his bond hearing on October 20, 2025, at 1:30 PM before the Annandale Immigration Court. The immigration judge set bond at \$5,000.00.
3. The same day, the immigration judge also heard arguments regarding Mr. Hernandez’s motion to continue his removal proceedings. The purpose of the requested continuance was to allow Mr. Hernandez time to post bond, have his case moved to a non-detained docket, and allow for additional preparation time with Counsel. The immigration judge denied the motion to continue and found that even if Mr. Hernandez were released from custody, the immigration judge would still hear the case on October 22, 2025, at 1:00 PM at the Annandale Immigration Court. *See* PEX 4, IJ Order Denying Motion to Continue.
4. Counsel learned through Mr. Hernandez’s family as well as her colleagues who also represent detainees at the Farmville Detention Center that as of at least Monday, October 20, 2025, the detention facility is serving detainees food with live worms and other expired, inedible food.
5. Mr. Hernandez posted bond on Tuesday, October 21, 2025. The Farmville Detention Center released him at approximately 4:30 PM the same day. *See* PEX 5, Form I-830, Notice to EOIR: Alien Address.
6. The hearing on October 22 will determine whether Mr. Hernandez is permitted to remain in the United States or if the U.S. government will seek to remove him pursuant to a removal order.
7. It is possible that the immigration judge will deny Mr. Hernandez relief and order his removal.

That order of removal will become final after the appeal period closes (usually 30 days) unless Mr. Hernandez appeals the immigration judge's decision to the Board of Immigration Appeals.

See generally 8 C.F.R. § 1241.1.

8. Given these developments, Mr. Hernandez requests the Court order the following as modification to its October 16, 2025, order:
 - a. That Mr. Hernandez is not re-detained unless one of the following events occurs: (1) Mr. Hernandez violates the conditions of his release pursuant to bond, or (2) he is subject to an administratively final order of removal.
9. This modification will ensure that Federal Respondents continue to follow the spirit of this Court's prior order even if Mr. Hernandez is not successful at his October 22, 2025, hearing.

Respectfully submitted,

//S// Doran Michelle Shemin

Doran Michelle Shemin

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10/21/2025

Date

CERTIFICATE OF SERVICE

I certify that on October 21, 2025, a copy of the foregoing Petitioner's Motion for Expedited Consideration and attached documents were served on Federal Respondents' counsel via the Court's CM/ECF system.

//S// Doran Michelle Shemin
Doran Michelle Shemin
Counsel for Petitioner