

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Gabriel Alexander Guaicara Chauran,

Petitioner,

V.

TODD M. LYONS, Acting Director, United States Immigration and Customs Enforcement, in his official capacity; KRISTI NOEM, Secretary of Homeland Security, in her official capacity; MIGUEL VERGARA, Field Office Director, San Antonio Field Office, in his official capacity; BOBBY THOMPSON, Warden at the South Texas ICE Processing Center, in his official capacity,

Respondents.

[illegible]

Case No. 5:25-cv-1173-JKP

PETITIONER'S NOTICE OF VOLUNTARY DISMISSAL

The Petitioner, through undersigned counsel, respectfully provides notice of his voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). In furtherance of this motion, the Petitioner provides the following:

1. The Petitioner, Gabriel Alexander Guaicara Chauran, is a Venezuelan national in lawful Temporary Protected Status (TPS) who was unlawfully detained on August 17, 2025.
2. On September 18, 2025, the Petitioner filed a writ of habeas corpus arguing that his detention was unlawful because the Immigration and Nationality Act prohibits the detention and removal of noncitizens in lawful TPS status. *See* 8 U.S.C. §§ 1254a(a)(1)(A), (d)(4). *See* ECF No. 1.
3. On September 23, 2025, the Petitioner filed a motion for restraining order and preliminary injunction. *See* ECF No. 3. The Respondents filed a response on September 29, 2025 stating

that the Department of Justice of Immigration Litigation was working to secure the Petitioner's release from custody in light of his TPS status. *See* ECF No. 9.

4. On Monday September 29, 2025, the Respondents released the Petitioner from custody.
5. The Respondents have not filed an answer or a motion for summary judgment with the Court.

CONCLUSION

For the foregoing reasons, the Petitioner provides notice of his voluntary dismissal of this suit.

Dated: October 2, 2025

Respectfully submitted,

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ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I certify that on today's date, October 2, 2025, I electronically filed the above Notice of Voluntary Dismissal by using the Court's CM/ECF system which will automatically send a notice of electronic filing to Defendants' counsel.

/s/ Alejandra Martinez
Alejandra Martinez