

Petitioners, Miguel Azcuy Ruiz, Damaris Rivero Rodriguez and Marcos Azcuy Rivero, hereby move, pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, to consolidate the above captioned cases currently pending in the United States District Court for the Northern District of Texas. Each case presents the same exact legal issue, there is no material difference in the facts of each case, and no party will be prejudiced by consolidation.

Rule 42(a) of the Federal Rules of Civil Procedure authorizes a court to consolidate actions that “involve a common question of law or fact.” “A trial court has broad discretion in determining whether to consolidate a case pending before it.” *Alley v. Chrysler Credit Corp.*, 767 F.2d 138, 140 (5th Cir. 1985) (quotation marks and citation omitted). “Consolidating actions in a district court is proper when the cases involve common questions of law and fact, and the district judge finds that [consolidation] would avoid unnecessary costs or delay.” *St. Bernard Gen. Hosp., Inc. v. Hosp. Serv. Ass’n of New Orleans, Inc.*, 712 F.2d 978, 989 (5th Cir. 1983). The purpose of consolidation is to allow district courts “to manage their dockets efficiently while providing justice to the parties.” *Wilson v. Johns-Manville Sales Corp.*, 107 F.R.D. 250, 252 (S.D. Tex. 1985). “Consolidation is improper if it would prejudice the rights of the parties.” *St. Bernard Gen. Hosp.*, 712 F.2d at 989. Here, each habeas petition arises from the same common set of alleged operative facts, namely Petitioners’ ongoing detention without bond. There is no distinction in the relief sought by any of the Petitioners.

Consolidation will also avoid the risk of inconsistent judgments in the

Related Actions. *See Lockhart v. El Centro Del Barrio*, No. SA-23-CV-01156-JKP, 2024 WL 303253, at *2 (W.D. Tex. Jan. 25, 2024) (“Consolidation will ensure consistent rulings and promote judicial economy” where three cases have asserted “causes of action based on the same data breach resulting from the same cyberattack.”); *JFP Servs., L.L.C. v. Torans*, No. SA-17-CV-00210-FB, 2017 WL 9362704, at *2 (W.D. Tex. Dec. 21, 2017) (“In light of these common questions of law and fact, the Court finds there is a risk of inconsistent adjudication if the Court were to allow these cases to be tried separately before different judges[.]”). It will also reduce the time and costs for all involved by eliminating the need for separate filings, hearings, and trials for the three cases arising from the same facts. *See Bayati v. GWG Holdings, Inc.*, 3:22-CV-0410-B, 2023 WL 5925880, at *2 (N.D. Tex. Sept. 12, 2023) (explaining that, where two actions “[made] nearly identical legal claims based on the same set of facts,” and were “filed on behalf of the same proposed class,” consolidation “promote[d] judicial efficiency”); *Gate Guard Servs. L.P. v. Solis*, No. CIV.A. V-10-91, 2011 WL 2784447, at *15 (S.D. Tex. July 12, 2011) (ordering consolidation where “the same factual and legal issues exist in both cases and consolidating the actions would be more efficient than litigating the two cases separately”). No attorney has noticed an appearance for the government, so the undersigned were unable to inquire as to Respondents’ position on this motion.

For the foregoing reasons, consolidation is appropriate under the circumstances of these cases as it will not cause any inconvenience, confusion, or prejudice to any party, nor will it cause a delay in scheduled proceedings. Accordingly,

the Court should grant Petitioners' motion to consolidate these three pending cases.

Dated: October 30, 2025

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Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2025, I caused the foregoing document to be electronically filed with the United States District Court, Northern District of Texas, by using the CM/ECF filing system. I further certify that all participants in this case are registered CM/ECF users and that service will be accomplished through the CM/ECF system.

Dated: October 30, 2025

/s/ Eric Lee

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