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***Mail Reply to Clifton Office

December 30, 2025

BY CM-ECF

Hon. Judge Claire Cecchi
United States District Judge
District of New Jersey
50 Walnut Street, #4015
Newark, NJ 07104

**Re: Lopez Capir v. Bondi, et al, Civil Action No. 2:25-cv-17385-CCC
URGENT STATUS UPDATE REGARDING NON-COMPLIANCE WITH
COURT'S DECEMBER 23, 2025, ORDER**

Your Honor:

This Office represents the Petitioners in the above-references habeas corpus petition.

Counsel for Petitioners respectfully submits this urgent status update regarding Respondents' non-compliance with this Court's Text Order dated December 23, 2025. Today, December 30, 2025, is the seventh and final day of the Court's deadline requiring Respondents to provide both Petitioners with individualized bond hearings.

Status of Ever Alexander Lopez-Capir:

Petitioner Ever Alexander Lopez-Capir's bond hearing was conducted today, December 30, 2025, at 1:00 P.M. before Immigration Judge Jacob Addicott. The bond application was denied. See attached Order.

Status of Cristofer Omar Hernandez-Huz - NON-COMPLIANCE:

Petitioner Cristofer Omar Hernandez-Huz has **not** been provided a bond hearing in direct violation of this Court's Order. Despite being detained at Delaney Hall Detention Facility for approximately eight (8) weeks, Mr. Hernandez-Huz remains on the non-detained docket at



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Newark Immigration Court because U.S. Immigration and Customs Enforcement has failed to file Form I-830 (Notice of Custody Determination).

Without the filing of Form I-830, Mr. Hernandez-Huz's case cannot be transferred to the detained docket, and consequently, no bond hearing can be scheduled.

Efforts to Secure Compliance:

Counsel has made repeated requests for the filing of Form I-830 to the following ICE personnel:

- Maurice Williams, Supervising Officer at Delaney Hall;
- Joseph Genau, Officer at Delaney Hall;
- Newark ICE Outreach Office.

Despite these requests and today's court-ordered deadline, no I-830 has been filed and the docket status remains unchanged.

Additionally, counsel attempted to file a physical bond motion directly with Newark Immigration Court on Monday, December 29, 2025, but was denied on the grounds that Mr. Hernandez-Huz remains on the non-detained docket.

Counsel made a second attempt to file the bond application today, December 30, 2025, via the Electronic Case Access System (ECAS) but was again denied for the same reason.

Requested Relief:

As today is the final day of this Court's seven-day deadline, Petitioner respectfully requests that this Court:

1. **Find** Respondents in non-compliance with the December 23, 2025 Order with respect to Petitioner Cristofer Omar Hernandez-Huz;
2. **Issue an order** directing Respondents to immediately file Form I-830 for Mr. Hernandez-Huz and transfer his case to the detained docket; and
3. **Require** Respondents to provide Mr. Hernandez-Huz with a bond hearing before an immigration judge within a specific timeframe set by this Court.

Thank you for your prompt attention to this urgent matter.



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Respectfully submitted,



Franklin S. Montero, Esq.
Counsel for Petitioners

Cc: *Counsels for Respondents* (by CM-ECF)



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ELIZABETH IMMIGRATION COURT**

Respondent Name:

LOPEZ-CAPIR, EVER ALEXANDER

To:

Montero , Franklin Santiago
451 CLIFTON AVE
CLIFTON, NJ 07011-2644

A-Number:

201-718-568

Riders:

In Custody Redetermination Proceedings

Date:

12/30/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because
Flight risk.

- Granted. It is ordered that Respondent be:
 - released from custody on his own recognizance.
 - released from custody under bond of \$
 - other:

- Other:



Immigration Judge: Addicott, Jacob 12/30/2025

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved

Appeal Due: 01/29/2026

Certificate of Service

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Respondent Name : LOPEZ-CAPIR, EVER ALEXANDER | A-Number : 201-718-568

Riders:

Date: 12/30/2025 By: RODRIGUES, CINDY, Court Staff