

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MARÍA PÁRAMO OÑATE

v.

PAM BONDI,
in her capacity as
United States Attorney General

KRISTI NOEM,
in her capacity as Secretary of the
U.S. Department of Homeland Security

BRET BRADFORD,
in his capacity as Houston Field
Office Director, Immigration and
Customs Enforcement

RANDALL TATE,
in his capacity as Warden, Montgomery
Processing Center

CASE NUMBER
4:25-cv-05547

IMMIGRATION FILE NO.

A 

PETITIONER'S RETORT TO GOVERNMENT'S ANSWER TO THE ORDER
TO SHOW CAUSE

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW María Páramo, Petitioner, by and through Salvador Colón, her
attorney, and for cause of action would show the Court the following:

This Court issued an Order to Show Cause requiring the Government to
justify holding Ms. Páramo in custody. The Government submitted its answer
today, December 1, 2025. Ms. Páramo responds as follows:

In its response to the OSC, the Government makes two points: that Ms. Páramo should request a bond and exhaust administrative remedies appertaining to that bond process, and that this Court lacks jurisdiction to review the Government's decision to place Ms. Páramo in proceedings.

Let it be remembered that this action started when the Immigration Judge terminated removal proceedings and the Government refused to release Ms. Páramo. The Government alleged that Ms. Páramo was deportable because her student visa had been revoked. NTA dated October 20, 2025, attached as Exhibit 1. Just a few months ago, the Government was arguing to a sister court that discretionary (prudential) revocations of a student visa do not, without more, revoke F-1 Student Status. *Deore, et al v. Secretary of US Department of Homeland Security, et al*, Case No. 2:25-cv-11038 (E.D. Mich., 2025), pp. 1, 7 (attached as Exhibit 2).

The Immigration Judge in Conroe agreed with what the Government had said in Michigant by terminating proceedings against Ms. Páramo. The Government in its answer says that Ms. Páramo did not avail herself of available administrative remedies. It was the Government which elected not to avail itself of administrative remedies by not appealing the Immigration Judge's decision. Instead, the Government flagrantly disobeyed the order of the Immigration Judge and refused to release Ms. Páramo.

Ultimately, the Government issued a second NTA making the same allegations that had previously been tossed out by the Immigration Judge. NTA dated November 18, 2025, attached as Exhibit 3.

Now, the Government is telling this Court that it has no jurisdiction to review its decision to issue a second NTA. The Government is wrong.

The second NTA makes no new allegations, and everything contained therein is barred by the doctrine of *res judicata*. The second attempt to raise the same charges already rejected amounts to malicious prosecution.

As a final point, the purported reason why Ms. Páramo's student visa was revoked is that there was a Mexican warrant against her. It should be pointed out that the government of Mexico never sought extradition. Still, that was the reason for the revocation.

That warrant has now been withdrawn. See notice attached as Exhibit 4.

For the foregoing reasons, Ms. Páramo respectfully prays the Court order her immediate release.

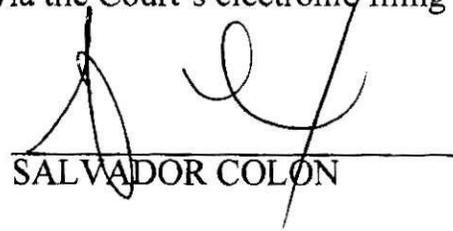
Respectfully submitted,



Salvador Colón
Attorney for Plaintiff
PO Box 2951
Houston, Texas 77252
(713)863-7909
scolon@scolon.net

CERTIFICATE OF SERVICE

Undersigned counsel certifies that on December 1, 2025, a true and complete copy of the foregoing was served on opposing counsel via the Court's electronic filing system.



SALVADOR COLON

EXHIBIT 1

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [REDACTED]
Even: [REDACTED]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

File No: [REDACTED]

In the Matter of:

Respondent: MARIA PARAMO ONATE AKA: Paramo, Maria ; See Continuation Page Made a Part currently residing at:

[REDACTED]

(Number, street, city, state and ZIP code)

(936) 214-4900

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of MEXICO and a citizen of MEXICO;
3. You were admitted to the United States at Houston International Airport, Houston, TX on 08/25/2022 as an F-1 student nonimmigrant visa however that has been terminated after the F-1 visa was revoked by the Dept of State;
4. You remained in the United States beyond authorization from the Immigration and Naturalization Service or its successor the Department of Homeland Security after revocation of the F-1 student visa.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted, in violation of this Act or any other law of the United States.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

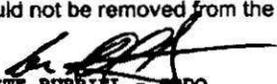
806 HILBIG RD, STE 2-300 CONROE, TEXAS 77301. CONROE IMMIGRATION COURT

(Complete Address of Immigration Court, including Room Number, if any)

on November 12, 2025 at 8:30 am to show why you should not be removed from the United States based on the

(Date) (Time)

charge(s) set forth above.


CELESTE BURRIEL - SDO
(Signature and Title of Issuing Officer)

Date: October 20, 2025

Conroe, TX
(City and State)

EOIR - 1 of 4

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/I-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the Internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on October 20, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

P

REFUSED TO SIGN

H7238 TORRES - SPECIAL AGENT

(Signature of Respondent if Personally Served)

(Signature and Title of officer)

EOIR - 2 of 4

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name PARAMO ONATE, MARIA	File Number 	Date 10/20/2025
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ALSO KNOWN AS

Paramu Onate, Maria ; ParamoOnate, Maria

Signature CELESTE BURRIEL 	Title SDDO
--	---------------

EOIR - 4

U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement

Additional Charges of Inadmissibility/Deportability

- In: Removal proceedings under section 240 of the Immigration and Nationality Act
 Deportation proceedings commenced prior to April 1, 1997 under former section 242 of the Immigration and Nationality Act

In the Matter of:

Alien/Respondent: Maria Paramo Onate

File No  Address: Montgomery Processing Center 806 Hilbig Rd. Conroe, TX 77301

In addition to the charge contained in the Notice to Appear, dated October 20, 2025, there is hereby lodged against you the following charge that you are subject to being taken into custody and deported or removed from the United States pursuant to the following provision of law:

Section 237 (a) (1) (C)(i) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you failed to maintain the nonimmigrant status in which you were admitted or comply with the conditions of such status.

In support of the additional charge(s) there are submitted the following factual allegation(s) in addition to in lieu of those set forth in the original charging document:

Dated: November 17, 2025

ACC

**WILLIAM
T HAMBY**

Digitally signed by
WILLIAM T HAMBY
Date: 2025.11.17
09:34:16 -06'00'

(Signature of Service Counsel)

Form I-261 (Rev. 4/1/97)N

Additional allegations (continued):

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this Notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the charging document and that you are inadmissible or deportable on the charges contained in the charging document. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government.

You will be advised by the immigration judge before whom you appear, of any relief from removal for which you may appear eligible including the privilege of departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the INS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the INS.

Certificate of Service

This charging document was routed to be served on the respondent by me on November 17, 2025, in the following manner,

(Date)

compliance with section 239(a)(1)(F) of the Act:

- in person
- by certified mail, return receipt requested
- electronically by ECAS

Receipt No.: _____

to: Counsel for respondent Yalila E Guerrero 440 Louisiana St. Suite 1550 Houston, TX 77002.

(Alien's address)

The alien was provided oral notice in the _____ language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

ACC WILLIAM T HAMBY
 (Signature and title of officer)

Digitally signed by
 WILLIAM T HAMBY
 Date: 2025.11.17 09:34:54
 -06'00'

(Signature of respondent if personally served)

EOIR - 2 of 2

EXHIBIT 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHINMAY DEORE, et al.,

Plaintiffs,

Case No. 2:25-cv-11038

HONORABLE STEPHEN J. MURPHY, III

v.

SECRETARY OF U.S. DEPARTMENT
OF HOMELAND SECURITY, et al.,

Defendants.

**ORDER DENYING IN PART MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION [2]**

After the Government terminated their records in the Student and Exchange Visitor Information System (SEVIS) database, four international students sued the Secretary of the U.S. Department of Homeland Security and others. The students alleged that, by terminating their SEVIS records, the Government had also terminated their F-1 student status, which violated the Due Process Clause of the Constitution of the United States and the Administrative Procedure Act. The students then moved for a temporary restraining order that, *inter alia*, would force the Government to set aside the alleged F-1 status termination while the parties litigate the case.

According to the Government, however, SEVIS terminations do not automatically revoke F-1 student status. The Government also represented that it had no reason to believe that the students had lost F-1 status or were in danger of facing removal proceedings.

Based on the limited record, the Court cannot conclude whether the termination of a record within the SEVIS database is synonymous with a termination of F-1 status. The parties also presented insufficient information for the Court to ascertain whether the termination of a SEVIS record—absent a termination of F-1 status, insofar as that is possible—carries legal consequences and is thus a reviewable final agency action. And the Court cannot find, based on the record before it, that the students have sufficiently developed their claim of irreparable harm. Accordingly, the Court will deny the motion for a temporary restraining order.

BACKGROUND¹

Chinmay Deore, Yogesh Joshi, Xiangyun Bu, and Qiuyi Yang are international students studying at the University of Michigan and Wayne State University. On April 4, 2025, the United States Department of Homeland Security terminated their records in the SEVIS database. ECF No. 14-3, PageID.168–169.

The termination reasons—at least as relayed to the students by the University of Michigan and Wayne State University—varied. The emails to Deore, Bu, and Yang said that their SEVIS records were terminated for “OTHERWISE FAILING TO MAINTAIN STATUS - Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated.” ECF No. 1-3, PageID.39 (email to Deore); ECF No. 1-5, PageID.43 (email to Bu); ECF No. 1-6, PageID.46

¹ The findings of fact and conclusions of law made herein are “not determinative of a ruling on the [Preliminary Injunction] Motion or at a trial on the merits.” *Burton v. Kettering Adventist Health Care*, No. 20-cv-209, 2020 WL 3265526, at *4 (S.D. Ohio June 17, 2020).

(email to Yang). Meanwhile, the email to Joshi said that his SEVIS record was terminated for "OTHER – Individual identified in criminal records check and/or has had their VISA revoked. SEVIS record has been terminated." ECF No. 1-4, PageID.41 (email to Joshi). The schools advised all four students that the SEVIS terminations meant that their F-1 status had been revoked. ECF No. 1, PageID.39–43.

Soon thereafter, the students sued the Secretary of the Department of Homeland Security and other government officials and sought a temporary restraining order and a preliminary injunction. ECF No. 1; ECF. No. 2, PageID.49. The students argued that the Department's action was contrary to the Due Process Clause of the Constitution and that it violated the Administrative Procedure Act because it was arbitrary, capricious, and contrary to law. *Id.* at PageID.56.

After the Court scheduled a hearing on the emergency temporary restraining order, ECF No. 7, Yang and Joshi learned that the United States Department of State had formally revoked their visas. ECF No. 12, PageID.119–120.² The next day, the Government responded to the motion for an emergency TRO. ECF No. 14.

Alongside their response, the Government submitted a declaration from Andre Watson, an Assistant Director of the National Security Division of Homeland Security Investigations within U.S. Immigration and Customs Enforcement (ICE). ECF No. 14-3, PageID.165–170. Watson oversees the Student Exchange Visitor Program

² Bu has not received notification of any visa revocation, and Deore did not have a visa because he changed his immigration status to F-1 after already being in the United States. ECF 12, PageID.119–120.

(SEVP). *Id.* at PageID.166. SEVP tracks various nonimmigrants, including students with F-1 status, through SEVIS pursuant to 8 U.S.C. § 1372. *Id.* at PageID.167.

According to Watson, SEVP terminated the SEVIS records of the four students based on their criminal or immigration histories. *Id.* at PageID.168–169. Deore and Joshi were previously arrested for “Assault Excluding Sexual.” *Id.* at PageID.168. Bu had previously been found inadmissible under Section 212 of the Immigration and Nationality Act. *Id.* And Yang was arrested for “Assault – 4th Degree” with a domestic-violence enhancement. *Id.* at PageID.169.

LEGAL STANDARD

Injunctive relief is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008). “There is no power the exercise of which is more delicate, which requires greater caution, deliberation, and sound discretion, or more dangerous in a doubtful case, than the issuing [of] an injunction.” *Detroit Newspaper Publishers Ass’n v. Detroit Typographical Union No. 18, Int’l Typographical Union*, 471 F.2d 872, 876 (6th Cir. 1972).

When considering a motion for a temporary restraining order, the Court must examine four factors: (1) whether the movant has shown a strong likelihood of success on the merits; (2) whether the movant will suffer irreparable harm if the injunction is not issued; (3) whether the issuance of the injunction would cause substantial harm to others; and (4) whether the public interest would be served by issuing the injunction.

Overstreet v. Lexington-Fayette Urb. Cnty. Gov’t, 305 F.3d 566, 573 (6th Cir. 2002)
(applying the preliminary injunction test for review of a temporary restraining order).

The Court generally balances the four factors and should not consider them “prerequisites to the grant” of a temporary restraining order. *Leary v. Daeschner*, 228 F.3d 729, 736 (6th Cir. 2000) (citations omitted); *see also Certified Restoration Dry Cleaning Network, L.L.C. v. Tenke Corp.*, 511 F.3d 535, 542 (6th Cir. 2007) (“The district judge is not required to make specific findings concerning each of the four factors used in determining a motion for preliminary injunction if fewer factors are dispositive of the issue.”). A Court may not, however, grant injunctive relief based only on a “possibility” of irreparable harm. *Winter*, 555 U.S. at 22.

Finally, courts routinely decline to issue injunctive relief when they cannot yet resolve novel and complex issues of law or fact. *McKay v. Federspiel*, No. 14-cv-10252, 2014 WL 1400091, at *12 (E.D. Mich. Apr. 10, 2014) (denying preliminary injunctive relief when the Court lacked the requisite facts to make necessary conclusions of law); *see also Detroit Newspaper*, 471 F.2d 872, 876 (6th Cir. 1972) (noting that injunctive relief is available only when the right is “clear,” and injunctions should not be awarded in doubtful cases); *Decorative Stone Co. v. Bldg. Trades Council of Westchester Cnty.*, 13 F.2d 123, 123 (2d Cir. 1926) (noting that in the presence of “debatable questions, it is within the discretion of the court to refuse to grant a preliminary injunction on affidavits”); *First Nat’l Bank & Tr. Co. of Mich. v. Fed. Rsv. Bank of Chi. Detroit Branch*, 495 F. Supp. 154, 157 (W.D. Mich. 1980) (“It is the Court’s opinion that there can be no substantial likelihood of success where there exist complex issues of law, the resolution of which are not free from doubt.”); *N.W. Controls, Inc. v. Outboard Marine Corp.*, 317 F. Supp. 698, 703 (D. Del. 1970) (finding

no likelihood of success when “on the present record serious conflicts of both a factual and legal nature exist”); *Marilley v. McCamman*, No. C-11-02418, 2011 WL 4595198, at *1 (N.D. Cal. Oct. 3, 2011) (“In circumstances where the court finds that it cannot yet resolve ‘doubtful and difficult questions of law or disputed questions of fact,’ however, a preliminary injunction may not issue.”).

DISCUSSION

Plaintiffs alleged that Defendants’ actions violated the APA and the Constitution. For Defendants to demonstrate a likelihood of success on the merits of either claim, however, Plaintiffs’ core assumption must be correct: that their SEVIS record terminations necessarily reflect an F-1 status termination. As discussed below, the Court has reservations about whether the two terminations are necessarily linked. Those reservations, in turn, prevent the Court from concluding that Plaintiffs have demonstrated a strong likelihood of success on their APA and constitutional claims.

I. SEVIS Record Terminations and F-1 Status Terminations

Based on the limited record and briefing before it, the Court cannot ascertain at this time whether a SEVIS record termination is always reflective of an F-1 status termination or carries with it any independent legal consequences.

First, according to Watson’s declaration, a clerical change in SEVIS does not create a termination of F-1 status. ECF No. 14-3, PageID.169. Watson explained that “[t]he statute and regulations do not provide SEVP the authority to terminate nonimmigrant status by terminating a SEVIS record, and SEVP has never claimed

that it had terminated the nonimmigrant status of DEORE, JOSHI, BU, and YANG.”
Id.

At the motion hearing, the Government also represented that it does not currently believe that there has been any status change for any of the students, even considering the termination of the SEVIS records. *See* ECF No. 14, PageID.144–145 (“[T]he agency does not take the position that plaintiffs’ lack lawful nonimmigrant status at this time or that SEVIS controls or reflects their nonimmigrant status.”). Accordingly, the Government admitted that it does not currently have any basis to initiate removal proceedings against the students.

And based on Homeland Security’s own website, last updated November 7, 2024, terminated records in SEVIS do not always reflect a revocation of F-1 status. Rather, “[a] terminated record in the Student and Exchange Visitor Information System (SEVIS) *could* indicate that the nonimmigrant no longer maintains F or M status.”³

Finally, although the Secretary of State has prudentially revoked the visas of some of the students, the Government admitted that prudential visa revocation—on its own—does not automatically revoke F-1 status. ECF No. 14-3, PageID.169 (“Prudential visa revocation, absent other factors, does not make an individual [amenable] to removal”). ICE’s own guidance confirms that there is no automatic

³ *SEVIS Help Hub: Terminate a Student*, Department of Homeland Security, <https://studyinthestates.dhs.gov/sevis-help-hub/student-records/completions-and-terminations/terminate-a-student> (last updated Nov. 7, 2024) (emphasis added) [<https://perma.cc/7KEH-BJYQ>].

connection between visa revocation and F-1 status. For example, in a 2010 letter to Designated School Officials, SEVP noted: "Some circumstances require revocation of a nonimmigrant student's visa while the nonimmigrant is in the United States and in status. Visa revocation is not, in itself, a cause for termination of the student's SEVIS record." ECF No. 2-3, PageID.94.

To be sure, both the University of Michigan and Wayne State University concluded that a status termination took place. *See, e.g.*, ECF No. 1-4, PageID.41 (warning that "your lawful status in the U.S. is terminated, and you are at risk of detention and deportation."); ECF No. 1-5, PageID.43 ("You will need to cease any employment immediately. Since this termination does not carry a grace period, we must recommend you make plans to exit the United States immediately.").

But since then, and as noted above, the Government has provided additional information and argument that may prompt the schools to reassess their view of whether a status termination has occurred. That information includes the Government's agreement with Plaintiffs that a prudential revocation of a visa does not—on its own—change a student's F-1 status, and the Government's argument that F-1 status and the non-termination of a SEVIS record are *meaningfully* distinct. *See generally Yunsong Zhao v. Va. Polytechnic Inst. & State Univ.*, No. 7:18CV00189, 2018 WL 5018487, at *5 (W.D. Va. Oct. 16, 2018) (determining that SEVIS status and F-1 status are divisible).

The Government's representations are by no means dispositive, and Plaintiffs may ultimately show that termination of a SEVIS record is conclusive of a loss of F-

1 status or carries its own legal consequences. But the Court cannot conclude based on the current record whether it is likely that any of the students have lost their F-1 status or have lost any legal rights based solely on the termination of their SEVIS record.

II. Temporary Restraining Order Factors

Next, the Court will analyze each of the classic temporary-restraining-order factors. Because the case proceeds against government defendants, the last two factors—balance of the equities and public interest—merge. *Busby v. Bonner*, 477 F. Supp. 3d 691, 700 (W.D. Tenn. 2020).

A. *Likelihood of Success on the Merits*

i. Administrative Procedure Act

In support of their APA claim, Plaintiffs alleged that the termination of their F-1 statuses was not in accordance with law, was arbitrary and capricious, and was contrary to a constitutional right. ECF No. 2, PageID.75. But because the record at present does not clearly support that a final agency action took place, Plaintiffs have not shown a strong likelihood of success on the merits of their APA claim.

Section 704 of the Administrative Procedures Act authorizes judicial review of “final agency action for which there is no other adequate remedy in a court.” 5 U.S.C. § 704; see also *Jama v. Dep’t of Homeland Sec.*, 760 F.3d 490, 495 (6th Cir. 2014). Courts use a two-pronged test to determine when agency action is “final”: “First, the action must mark the consummation of the agency’s decisionmaking process—it must not be of a merely tentative or interlocutory nature. And second, the action must be

one by which rights or obligations have been determined, or from which legal consequences will flow.” *Jama*, 760 F.3d at 495–95 (quotation and quotation marks omitted). An agency action is not final if it “only affects [the complainants] rights adversely on the contingency of future administrative action.” *Marquette Cnty. Rd. Comm’n v. U.S. Env’t Prot. Agency*, 188 F. Supp. 3d 641, 647 (W.D. Mich. 2016), *aff’d*, 726 F. App’x 461 (6th Cir. 2018) (quotation omitted).

As noted above, it is not clear that the Plaintiffs’ F-1 statuses were terminated alongside their SEVIS records. And substantial uncertainty over the effect of SEVIS record terminations remains—*i.e.* neither party adequately explained whether SEVIS termination alone (and not as reflective of F-1 status loss) carries any legal consequences. Thus, if Plaintiffs have not lost their F-1 status alongside their SEVIS record terminations or have not lost other rights by termination of SEVIS, then it is not clear that the SEVIS termination represents a final action “by which rights or obligations have been determined, or from which legal consequences will flow.” *Jama*, 760 F.3d at 495–96 (quotation and quotation marks omitted). Given those difficult issues, the Court lacks sufficient factual information from which to determine whether there has been a final agency action. *See McKay*, 2014 WL 1400091, at *12 (denying preliminary injunctive relief when the Court lacked the requisite facts to make requisite conclusions of law).

Plaintiffs cited *Jie Fang v. Dir. U.S. Immigr. & Customs Enft*, 935 F.3d 172 (3d Cir. 2019), for the proposition that “Defendants’ termination of each Plaintiff’s F-1 student status is a final agency action [that the] Court has jurisdiction to review

under the APA.” ECF No. 2, PageID.75. In *Jie Fang*, the Department of Homeland Security formally advised students that their SEVIS record had been terminated, that they no longer had valid F-1 status, *and* that they had to file for reinstatement of nonimmigrant status or depart from the United States immediately. 935 F.3d at 180. But *Jie Fang*’s conclusion—that the “order terminating the students’ F-1 visa status was therefore a final order for jurisdictional purposes because there was no further opportunity for review,” *see* 935 F.3d at 185—does not fit well with the core ambiguities of this case. Those ambiguities are whether the students retain their F-1 status and what the independent effects of a SEVIS termination are.⁴

Here, the Department of Homeland Security provided no letter and no clear indication of a status termination. For the four students who are plaintiffs here, the Government stated that it *has no reason to believe that a status change has occurred*.⁵ And the Plaintiffs’ brief largely proceeded on the assertion that the “termination of their F-1 status in SEVIS” is conclusive of their legal loss of F-1 status in fact. *See*

⁴ Other courts have described the termination of SEVIS records—albeit by university officials rather than Government officials—as a simple “clerical duty.” *See, e.g., Yerrapareddypeddireddy v. Albence*, No. CV-20-01476, 2021 WL 5324894, at *8 (D. Ariz. Nov. 16, 2021), *aff’d*, No. 21-17070, 2022 WL 17484323 (9th Cir. Dec. 7, 2022); *Yunsong Zhao*, 2018 WL 5018487, at *5.

⁵ There is *some* reason to believe that a status change occurred. Three Plaintiffs indicated that their records were cancelled by DHS for “otherwise failing to maintain status.” *See, e.g., ECF No. 1-5, PageID.44*. On first glance at 8 C.F.R. § 214.2(f), references to “status” seem to refer not to the status of having a SEVIS record but rather to the student’s immigration status. DHS’s own notes in SEVIS could provide a reason to believe that three of the students failed to maintain, and thus lost, their F-1 status. That said, given the new information presented by the Government, the Court cannot currently conclude, one way or another, whether the students actually lost their status in fact. The parties can—and should—more fully develop the point in subsequent briefing and at the preliminary injunction hearing.

ECF No. 2, PageID.59. That assertion may ultimately prove correct. But, absent further briefing, its veracity is not clear.

ii. Due Process Clause

In support of their due process claim, Plaintiff contended that a due process violation occurred because Defendants received no notice of the F-1 status determination, no adequate explanation for the termination, and no adequate opportunity to respond. ECF No. 2, PageID.73. As with its analysis of the APA claim, however, the Court cannot say that the students actually lost their F-1 status, notwithstanding the termination of their SEVIS records. And so, Plaintiffs have not shown a likelihood of success on their due process claims as it relates to the as-of-yet unconfirmed F-1 status change.

The Court must next consider the process due (if any) before SEVP modifies a SEVIS record. The few courts to consider the issue have found that students could not maintain a due process claim for termination of a SEVIS record. See *Yunsong Zhao*, 2018 WL 5018487, at *6 (finding that student whose SEVIS record was terminated, without prior notice and without a hearing, failed to state a due process claim because there was “no legal basis or precedent supporting [his] contention that his SEVIS status constitutes an independent property interest implicating due process”); *Bakhtiari v. Beyer*, No. 4:06-cv-01489, 2008 WL 3200820, at *3 (E.D. Mo. Aug. 6, 2008) (finding that “neither the SEVIS regulations nor the enabling legislation on which they are based demonstrate that Congress intended to create a private right of action or intended to benefit a class of which plaintiff is a member”).

At this stage of the litigation and upon the present record, the Court likewise cannot conclude that the SEVIS terminations on their own infringed on an interest that implicates due process.

For the reasons above, Plaintiffs cannot show a strong likelihood of success on the merits at this time.

B. Risk of Irreparable Harm

Plaintiffs did not persuade the Court that they met the high burden to establish the risk that they will suffer immediate and irreparable harm absent a TRO. Plaintiffs identified three main types of harm: (1) possible detention or removal, (2) disruption to their academic programs, and (3) loss of employment.⁶

Removal and Detention. It is not clear that DHS terminated the Plaintiffs' F-1 status or that Plaintiffs are facing removal or detention. At oral argument, the Government represented to the Court that DHS has no reason to believe that Plaintiffs are removable. It follows then that there would be no reason for them to be arrested.

If Plaintiffs lost their status, and are removable or detainable on that basis, they are free to seek reinstatement of their student status. 8 C.F.R. § 214.2(16). And Plaintiffs failed to fully explain whether they are pursuing reinstatement, and

⁶ Only three Plaintiffs—Deore, Joshi, and Yang—alleged loss of paid employment. ECF No. 1, PageID.21. Although Bu alleged that he is “no longer able to obtain OPT,” *id.*, which is a form of temporary employment, the complaint did not suggest that he lost any paid position.

whether, if their status was indeed revoked, they are allowed to remain in the country while their application for reinstatement is pending review.

Academic Disruption. It is not clear that the students' educational progress will be impeded at their current institutions. The Government explicitly said at oral argument that the students are allowed to continue taking classes—which would make sense if the students still maintained their F-1 status—and that the Department of Homeland Security has not asked the University of Michigan or Wayne State University to disenroll the students. In other SEVIS-related cases, schools have allowed students to continue their studies after termination of SEVIS status. *Yunsong Zhao*, 2018 WL 5018487, at *5 (determining that SEVIS status and F-1 status are divisible).

To be sure, some Plaintiffs have future plans that might be impeded. *See, e.g.*, ECF No. 1, PageID.21 (noting that students might be unable to transfer for a master's degree or matriculate for further graduate studies). But those harms are sufficiently distant to counsel against immediate relief in the form of a TRO.

Employment. Three Plaintiffs alleged a loss of employment because of the termination of their F-1 status in SEVIS. ECF No. 1, PageID.21. As noted above, it remains unclear whether the students have F-1 status despite the termination of their SEVIS record, have lost their F-1 status, or anything else. The parties did not thoroughly analyze whether someone with F-1 status but without a SEVIS record (insofar as such a person can exist) may be employed.

Furthermore, lost wages are generally not harms that are irreparable and the universities—that is, the entities who presumably terminated Plaintiffs' employment—are not parties to the lawsuit. See *Aluminum Workers Int'l Union, AFL-CIO, Local Union No. 215 v. Consolidated Aluminum Corp.*, 696 F.2d 437, 443 (6th Cir. 1982) (absent a showing that an employer will be unable to provide backpay or reinstatement, "loss of employment . . . is not irreparable harm and will not support a claim . . . for injunctive relief"). Although it may not be possible for the students to seek reinstatement or backpay from their universities to the extent that they carried out terminations in adherence to federal law, Plaintiffs did not develop any argument of that type. And the Government's representations, before and at the hearing, might positively affect the students' employment. Finally, although Plaintiffs may seek reinstatement of their SEVIS record, they did not explain whether they would be able to work pending review. The Court thus cannot find on the record before it that the lost employment during the pendency of the litigation is an irreparable harm. Again, Plaintiffs can and should develop the argument before and at the preliminary injunction hearing.

C. Balance of the Equities and the Public's Interest

Next, the final two factors—the balance of harms and the public interest—are too mixed to move the needle given the Court's concerns stated above. The Court appreciates that detention, deportation, loss of educational opportunity, and wage loss are frightening and very serious concerns for Plaintiffs. And the Court recognizes

that the public generally has an interest in the predictable application and enforcement of the law—to which arbitrary and capricious action is antithetical.

But enjoining the agency's ability to exercise its authority before a complete review of the merits of the case, especially considering the novel and complex issues of law present here, is also serious and may be harmful. *See Lopez-Mejia v. Lynch*, No. 1:16-CV-549, 2017 WL 25501, at *4 (S.D. Ohio Jan. 3, 2017) (acknowledging that “the government has a compelling state interest, based on border security and national sovereignty, to enforce its immigration” rules). And the executive retains a strong interest in handling immigration matters. *See Blackie's House of Beef, Inc. v. Castillo*, 659 F.2d 1211, 1221 (D.C. Cir. 1981) (recognizing that the public interest in immigration enforcement is significant) (collecting cases).

CONCLUSION

In sum, the balance of factors favors denying the motion at this stage. It is not currently clear that Plaintiffs have lost F-1 status or that the SEVIS terminations carry independent consequences. Thus, Plaintiffs have not shown a strong likelihood of success on the merits. And the other factors do not sufficiently support granting the motion.

Although it is ultimately unclear why DHS would terminate SEVIS records for students who maintain F-1 status, Plaintiffs have not, for the reasons explained above, met the standard for the issuance of such an extraordinary remedy.

WHEREFORE, it is hereby **ORDERED** that the motion for a temporary restraining order [2] is **DENIED**.

IT IS FURTHER ORDERED that the following schedule for a preliminary injunction is hereby **ENTERED**:

Event	Due Date
Government's Brief in Response to Preliminary Injunction (30-page limit)	April 30, 2025
Meet and Confer (see below)	May 2, 2025
Submission of Pre-Hearing Materials	May 13, 2025
Plaintiffs' Reply Brief (30-page limit)	May 13, 2025
Preliminary Injunction Hearing	May 19, 2025 at 10:00 a.m.

IT IS FURTHER ORDERED that the parties shall **FOLLOW** the guidance in the preliminary injunction scheduling order appendix attached below.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 17, 2025

PRELIMINARY INJUNCTION SCHEDULING ORDER APPENDIX

1. Meet and Confer

Not later than the corresponding date set forth above, counsel for all parties shall meet and confer, preferably in person, to discuss the following:

- a) whether the parties can agree to a preliminary injunction of scope less than what Plaintiff has sought;
- b) whether any facts or legal conclusions are agreed upon;
- c) evidentiary issues, including any objections to the admissibility of any proposed exhibit or testimony to be offered at the hearing.

The meet and confer is intended to be substantive. The Court thus encourages the parties to exchange proposed findings of fact and conclusions of law (see below) prior to the meet and confer, such that each party has the opportunity to consider the precise language that it would be stipulating to at the meet and confer.

2. Submission of Pre-Hearing Materials

Not later than the corresponding date set forth above, counsel must:

- a) File a "Joint Exhibit and Witness List" which lists all exhibits that the parties intend to introduce at the hearing and all witnesses the parties intend to call at the hearing. For each identified witness, the Joint Exhibit and Witness List must indicate whether the witness "will" be called or "may" be called at the hearing, the witness's likely testimony (one or two sentences), an estimate of the time needed for direct and cross examination of the witness, and any significant objection to the witness's testimony. For each exhibit the admission

of which is not agreed to by the parties, the Joint Exhibit and Witness List must briefly state the basis for objection.

- b) Provide the Court with a "Joint Exhibit Book" containing a copy of all proposed exhibits (including any deposition transcripts or applicable portions thereof) identified in the Joint Exhibit and Witness List. All exhibits must be marked by counsel prior to the preparation of the Joint Exhibit Book such that the copy in the Joint Exhibit Book is marked. The preferred method of marking is letters for the Plaintiffs and numbers for Defendants. The parties should also provide an extra copy of the Joint Exhibit Book for the Court Reporter.
- c) File a "Pre-Hearing Brief" containing separately numbered proposed findings of fact with citation to proposed exhibits (preferably citing to the Joint Exhibit Book) and separately numbered proposed conclusions of law.
- d) File a joint statement concerning the suitability of hearing and trial under Federal Rule of Civil Procedure 65(a)(2).

3. The Preliminary Injunction Hearing

- a) The Court has set aside one day for the preliminary injunction hearing. The hearing will begin on **May 19, 2025 at 10:00 a.m.** The hearing will finish **no later than 3:00 p.m.** and the Court may take periodic breaks and break for lunch.
- b) The Court will admit unobjected-to exhibits in the Joint Exhibit and Witness List at the start of the preliminary injunction hearing. The Court will determine the admissibility of objected-to exhibits and objected-to testimony

prior to the start of the hearing or at the time a party seeks to introduce the objected-to evidence (or testimony). Evidence not included in the Joint Exhibit and Witness List will not be admitted absent a showing of good cause for failing to include the evidence on the list. Counsel are required to keep track of all exhibits admitted during the hearing.

EXHIBIT 3

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR



In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [Redacted]

FINS: [Redacted]

File No: [Redacted]

In the Matter of:

Respondent: MARIA PARAMO ONATE AKA: Parano, Maria ; See Continuation Page Made a Part currently residing at:

[Redacted]

(Number, street, city, state and ZIP code)

(936) 214-4900

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of MEXICO and a citizen of MEXICO;
3. You were admitted to the United States at Houston International Airport, Houston, TX on 08/25/2022 as an F-1 student nonimmigrant;
4. You remained in the United States beyond authorization from the Immigration and Naturalization Service or its successor the Department of Homeland Security after revocation of the F-1 student visa.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

Section 237(a)(1)(B) of the Immigration and Nationality Act (Act), as amended, in that after admission as a nonimmigrant under Section 101(a)(15) of the Act, you have remained in the United States for a time longer than permitted, or after your visa was revoked in violation of this Act or any other law of the United States.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

806 HILBIG RD, CONROE, TEXAS 77301. CONROE IMMIGRATION COURT (IEN)

(Complete Address of Immigration Court, including Room Number, if any)

on December 16, 2025 at 8:00 am to show why you should not be removed from the United States based on the

charge(s) set forth above.

R 1600 FERNANDEZ - SDDO

(Signature and Title of Issuing Officer)

Date: November 18, 2025

Conroe, TX

(City and State)

EOIR - 1 of 4

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at <http://www.ice.gov/contact/ero>, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1387.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on November 18, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # _____ requested by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

X Refused to Sign
(Signature of Respondent if Personally Served)


CHARLES SCROGGINS - Deportation
Officer
(Signature and Title of officer)

EOIR - 2 of 4

Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 280 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/CE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/dol-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name PARAMO ONATE, MARIA	File Number 	Date 11/18/2025
ALSO KNOWN AS -----		
Paramu Onate, Maria ; ParamoOnate, Maria		
Signature R 1600 FERNANDEZ 	Title SDDO	

EOIR - 4 of 4

U.S. Department of Justice
Immigration and Naturalization Service

Additional Charges of Inadmissibility/Deportability

In: Removal proceedings under section 240 of the Immigration and Nationality Act
 Deportation proceedings commenced prior to April 1, 1997 under former section 242 of the Immigration and Nationality Act

In the Matter of:

Alien/Respondent: PARAMO ONATE, MARIA

File No: A  Address: 806 HILLBIG RD CONROE TX 77301

In support of the charge(s) there is submitted the following factual allegation(s) in addition to in lieu of those set forth in the original charging document:

4. Your F-1 student visa was revoked by the Department of State on January 24, 2023;
5. You remained in the United States beyond authorization from the Immigration and Naturalization Service or its successor, the Department of Homeland Security, after revocation of the F-1 student visa.

Dated: December 1, 2025

RISSEL C SAUCEDO

Digitally signed by RISSEL C SAUCEDO
Date: 2025.12.01 11:52:29 -06'00'

(Signature of Service Counsel)

Additional allegations (continued):

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this Notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents which you desire to have considered in connection with your case. If any document is in a foreign language, you must bring the original and a certified English translation of the document. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the charging document and that you are inadmissible or deportable on the charges contained in the charging document. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government.

You will be advised by the immigration judge before whom you appear, of any relief from removal for which you may appear eligible including the privilege of departing voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the INS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the INS.

Certificate of Service

This charging document was served on the respondent by me on December 1, 2025, in the following manner and in compliance with section 239(a)(1)(F) of the Act:

in person by ECAS by regular mail

to: **PARAMO ONATE, MARIA**, through attorney of record

Yalila Guerrero, Guerrero Law Group, L.L.C. 440 Louisiana Street, Ste. 1550 Houston TX 77002

Alien's address)

The alien was provided oral notice in the _____ language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

RISSEL C SAUCEDO

Digitally signed by RISSEL C SAUCEDO
Date: 2025.12.01 11:53:08 -06'00'

(Signature of respondent if personally served)

(Signature and title of officer)

EOIR - 2 OF 2

EXHIBIT 4

Yalila Guerrero
The Lyric Centre
440 Louisiana Street, Suite 1550
Houston, Texas 77002
713-862-7997 – Telephone
713-862-8803 – Facsimile
lee@yglawgroup.com
EOIR # WX905936

DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
Immigration Court
Conroe, Texas**

In the Matter of:

PARAMO ONATE, MARIA

In removal proceedings

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File No.



Immigration Judge Brisack

Next Hearing: December 2, 2025

**Respondent's Evidence of Dismissal of Warrant and
a Pardon in Mexico**

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**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
Immigration Court
Conroe, Texas**

File No. 

* **Honorable Judge Brisack**

In the Matter of:

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PARAMO ONATE, MARIA

* **In Removal Proceedings**

Respondent

*
*

**Respondent's Evidence of Dismissal of Warrant and
a Pardon in Mexico**

TO THE HONORABLE IMMIGRATION JUDGE:

COMES NOW the Respondent, Maria Paramo Onate, in the above-styled cause, by and through his undersigned attorney, and in addition to the evidence previously presented to this Court showing adherence to the requirements of her F1 visa.

However, DHS's I-213 mentioned, in an effort to poison the well of this court, that Ms. Paramo Onate was "wanted in Mexico for a fraud charge," and in addition, in a previous dismissed proceeding, DHS provided a copy of said warrant. The evidence herein included has a copy of said warrant, along with the documents dismissing the warrant and a pardon filed and ordered by the Mexican Court with jurisdiction over the matter.

Respectfully Submitted,



Yaffa Guerrero
Respondent's Attorney



U.S. Citizenship and Immigration Services
Language Services Section
201 Varick Street, Suite 644
New York, NY 10014
Tel.: 1 (833) 801-7025

CERTIFICATE OF TRANSLATION

I, Steven A. Miller, am competent to translate from Spanish into English and certify that the full translation of the attached document is true and accurate to the best of my abilities.

Translation Number: 903022

A File: [REDACTED]

Case: --

Document: Arrest Warrant, [REDACTED]

Steven A. Miller
(Signature of Translator)

March 8, 2024
(Date)

STEVEN A MILLER Digitally signed by STEVEN A MILLER
Date: 2024.03.08 17:03:05 -05'00'

File No. 
PARAMO ONATE, MARIA

PROOF OF SERVICE

On 11/26/2025, I, Yalila Guerrero, served a copy of this Respondent's Evidence of Dismissal of Warrant and a Pardon in Mexico and any attached pages to the Government Attorney for the Department of Homeland Security at the following address:

No service needed. I electronically filed this document, and the opposing party is participating in ECAS.


Yalila Guerrero

11/26/2025
Date