

United States District Court
Western District of Texas
El Paso Division

Arnulfo Pacay Garcia,
Petitioner,

v.

Unknown, Warden of El Paso Camp, East
Montana, *et al.*,
Respondents.

No. 3:25-CV-00591-DB

Advisory to the Court

Federal Respondents provide this advisory to the Court that Petitioner was removed from the United States to Guatemala on December 8, 2025.

On November 25, 2025, the Court issued its Order to Show Cause, which included a provision to neither remove Petitioner from the United States, nor transfer him to any facility outside the El Paso Division of the Western District of Texas until the Court orders otherwise. ECF No. 2 at 2. The order was docketed on ECF at 5:26 pm CST. Respondent's Counsel inadvertently failed to forward the Order to Show Cause to ICE agency counsel. On December 2, 2025, Respondents filed a response to Petitioner's petition. ECF No. 4. On December 5, 2025, the Court issued an order granting the petition in part. ECF No. 5. On the same day, the United States Attorney's Office forwarded said order to ICE agency counsel. On Monday, December 8, 2025, ICE agency counsel informed the United States Attorney's Office that Petitioner had his final hearing before an immigration judge on December 4, 2025, and was ordered removed from the United States. Petitioner waived appeal and accepted the final order. ICE agency counsel further informed that pursuant to a final removal order, Petitioner was removed from the United States on December 8, 2025.

As the influx of immigration litigation rapidly increased over the past twelve weeks, with the number of habeas filings reaching a record number again this week, Respondents have worked on

several steps to meet the demands of the increased litigation. The results of the additional resourcing and new procedures have only recently come to fruition and are continuing to improve. The United States Attorney's Office continues to refine and evaluate its processes daily to eliminate inadvertent oversights and ensure that we are continuing to act in good faith with the Court.

Respectfully submitted,

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United States Attorney

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