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6  
7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE DISTRICT OF ARIZONA**

9 Ariana Monserrat Quintanilla-Simons,  
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Petitioner,

v.

Chris Howard, Acting Warden, Eloy  
Detention Center (CoreCivic); Christopher  
McGregor, Acting Field Office Director,  
U.S. Immigration and Customs  
Enforcement, Enforcement and Removal  
Operations, Phoenix Field Office; Pamela  
Bondi, U.S. Attorney General  
Respondents.

Case No.: 2:25-cv-04440-DJH--ASB

**EMERGENCY MOTION TO  
ENFORCE ORDER GRANTING  
HABEAS PETITION AND FOR  
IMMEDIATE RELEASE OR, IN  
THE ALTERNATIVE, ORDER  
DIRECTING RESPONDENTS TO  
PROCESS BOND WITHOUT  
DELAY**

1 Petitioner Ariana Monserrat Quintanilla Simons (“Petitioner”), by and through  
2 undersigned counsel, respectfully moves for emergency relief enforcing this Court’s  
3 December 12, 2025 Order Granting Petition for Writ of Habeas Corpus. Petitioner requests  
4 that the Court order Respondents to immediately release Petitioner, or in the alternative, to  
5 immediately clear and process the posting of the \$5,000 immigration bond granted by the  
6 Immigration Judge on December 18, 2025, so that Petitioner may be released without  
7 further unlawful delay.

8 **FACTS**

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10 1. On December 12, 2025, this Court granted habeas relief and ordered that  
11 Respondents must provide Petitioner a bond redetermination hearing within seven (7) days  
12 or release her from custody under the same conditions that existed before her detention.

13 2. On December 18, 2025, EOIR held the ordered bond hearing. The Immigration  
14 Judge granted bond in the amount of \$5,000.00.

15 3. Petitioner’s sponsor (the Obligor) immediately attempted to post the bond  
16 through ICE’s CeBONDS system. The request has remained pending since December 19,  
17 2025 reflecting that “ICE will review your request,” and CeBONDS has not generated  
18 payment instructions.

19 4. On December 22, 2025 at 08:26am local Arizona time, undersigned counsel  
20 contacted the Respondents concerning the delay, and spoke to an officer (Officer Garcia)  
21 at the Eloy Detention Center who advised undersigned counsel that the bond was not being  
22 processed because “OPLA reserved the right to appeal.”  
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1           5. Reservation of the right to appeal is not a stay. An Immigration Judge's bond  
2 order remains operative unless and until it is stayed or reversed. Here, Respondents have  
3 not produced any filed notice of intent to appeal (Form EOIR-43), any custody appeal  
4 docketed with the Board, or any stay order that would suspend implementation of the bond  
5 decision. Absent a properly invoked stay under the governing regulations (including any  
6 automatic-stay mechanism that DHS may invoke only by timely filing and proper  
7 identification), Respondents must implement the bond grant and permit posting without  
8 delay.

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10           6. Because Respondents are withholding bond processing based solely on an unfiled  
11 and non-staying "reservation" of appeal, Petitioner remains detained due to administrative  
12 obstruction rather than any lawful custody determination. That conduct renders the bond  
13 hearing illusory and frustrates the relief ordered by this Court, which required a meaningful  
14 bond hearing and, if continued detention was not justified, release. The Court should  
15 enforce its Habeas Order by directing immediate bond processing (or immediate release if  
16 Respondents cannot or will not implement the bond grant at once).

17 **REQUESTED RELIEF**

18           Therefore, Petitioner respectfully requests that the Court enter an order:

19           A. Finding that Respondents' continued detention of Petitioner based on refusal to  
20 process bond is noncompliance with the Habeas Order and/or constitutes unlawful delay;

21           B. Directing Respondents to (i) immediately clear CeBONDS and accept bond  
22 payment and (ii) release Petitioner forthwith upon posting; OR, if Respondents cannot or  
23 will not implement the bond grant immediately, directing Respondents to immediately  
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1 release Petitioner under the same conditions that existed before her detention, consistent  
2 with the Habeas Order;

3 C. Requiring Respondents to file a notice of compliance within twenty-four (24)  
4 hours; and

5 D. Granting such other and further relief as the Court deems just and proper.  
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