

United States District Court  
Western District of Texas  
El Paso Division

Azamat Murzabaev,  
Petitioner,

v.

No. 3:25-CV-00647-DB

### **Federal Respondents' Response to Motion to Compel**

Now Comes Federal Respondents, and file this response to Petitioner's Motion to Enforce Habeas Corpus Relief and Compel Immediate Acceptance of Bond, or in the Alternative, For Immediate Release, and will show this Court the following:

#### **I. Facts**

Petitioner is a 34-year-old national of Kyrgyzstan who entered the United States without inspection in September 2024 and applied for asylum the same day. ECF No. 7 at 1. After his initial encounter with immigration authorities, he was released and remained at liberty for approximately one year. *Id.* at 4. In September 2025, Immigration and Customs Enforcement took Petitioner back into custody. *Id.* at 1. He has remained detained since that time pending the resolution of his immigration proceedings. ECF No. 13 ¶ 4.

On December 16, 2025, this Court granted the habeas petition in part and ordered Respondents to either provide Petitioner with a bond hearing by the deadline set by the Court or release him from custody. ECF No. 7. A bond hearing before an Immigration Judge was scheduled and conducted within the timeframe ordered by the Court. ECF No. 12.

On December 18, 2025, the Immigration Judge held the bond hearing and granted

Petitioner release on bond in the amount of \$2,000. ECF No. 13. Respondents promptly notified the Court that the bond hearing had occurred and that Enforcement and Removal Operations was in the process of implementing the Immigration Judge's order, including completing the necessary steps associated with release. ECF No. 12. At no point did Respondents refuse to provide a bond hearing, delay the scheduling of that hearing, or disregard the Court's directive.

Following the Immigration Judge's bond determination, Petitioner did not remain in custody due to any refusal to follow the bond order. Instead, Petitioner remained detained while ICE carried out standard post-bond processing security steps required before physical release from custody. ECF No. 12. Petitioner was then released on January 2, 2026.

## **II. Response to Petitioner's Claim of Noncompliance**

On January 2, 2026 Petitioner was released from ICE custody pursuant to the Immigration Judge's bond order. Because the relief sought in the emergency motion was acceptance of bond or release from custody, that relief has been fully provided. There is no ongoing detention and no continuing controversy for the Court to resolve. Any dispute regarding the timing of release is now academic, as Petitioner is no longer in custody and the Court's habeas order has been fully implemented.

## **III. Conclusion**

Accordingly, the emergency motion should be denied as moot.

Respectfully submitted,

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United States Attorney

*/s/ Adrian Acosta*

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