

United States District Court
Western District of Texas
El Paso Division

Maria Barajas Torres a.k.a Rocio Jimenez
Arias Vizcarra,
Petitioner,

v.

Case No. 3:25-CV-00717-KC

Warden of ERO El Paso East, Montana
et al.,
Respondents.

Federal Respondents' Corrected Advisory to the Court

On Monday December 22, 2025 at 3:34 p.m. MT, the Court's electronic filing system served on Respondents this Court's Order "Respondents SHALL NOT (1) remove or deport Barajas Torres from the United States, or (2) transfer Barajas Torres to any facility outside the boundaries of the El Paso Division of the Western District of Texas, until the Court orders otherwise or this case is closed." See ECF Doc. No. 3 at 2-3. However, prior to serving this Order, Respondents already removed Petitioner from the United States pursuant to a final order of removal. Ex. A, Warrant of Removal (see timestamp Dec. 12, 2025, 10:28 on page 1). Accordingly, Federal Respondents inform the Court that they removed the Petitioner but only did so prior to the order.

As Petitioner has been removed, Respondents argue this is moot/no case or controversy etc.

Respectfully submitted,

Justin R. Simmons
United States Attorney

/s/ Adrian Acosta

Adrian Acosta
Assistant United States Attorney
Texas No. 24097275
700 E, San Antonio Ave. Ste. 200
El Paso, Texas 79901
(915) 534-6884
Adrian.Acosta@usdoj.gov

/s/ Fidel Esparza

Fidel Esparza
Assistant United States Attorney
Texas Bar No. 24073776
601 N.W. Loop 410, Suite 600
San Antonio, Texas 78216
(210) 384-7100 (phone)
(210) 384-7118 (fax)
Fidel.Esparza@usdoj.gov

Attorneys for Federal Respondents