

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
FORT LAUDERDALE DIVISION  
Case No. 0:26-CV-60008-AHA**

**HERNANDEZ TINIGUAR, HENRY J**

Petitioner,

v.

**GARRETT J RIPA** Field Office Director of Enforcement and Removal Operations, MIAMI Field Office, Immigration and Customs Enforcement; **TODD LYONS**, Acting Director U.S. Immigration and Customs Enforcement, **Kristi NOEM**, Secretary, U.S. Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; **Pamela BONDI**, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW.

Respondents.

**STATUS UPDATE**

Petitioner, through the undersigned counsel, files this Status Update to provide the Court with information regarding the ongoing processing of Petitioner's pending U Visa and states as follows:

1. On February 5, 2026, United States Citizenship and Immigration Services ("USCIS") issued its Notice of Intent to Revoke ("NOIR") Petitioner Henry Joel Hernandez Tiniguar's bona fide determination employment authorization document ("EAD") and the grant of deferred action.
2. Petitioner has submitted his response via Fedex today February 9, 2026. A copy of the response of the NOIR is redacted and attached hereto as Exhibit A.
3. Please note that as per Respondent's Status Update, the basis for the issuance of the NOIR is the Petitioner's January 14, 2026, order of removal.

4. However that order of removal remains under appeal at the Board of Immigration Appeals and is, therefore, not final. See D.E. 13-1, Order of Removal (Jan. 14, 2026); D.E. 13-2, Filing Receipt for Appeal or Motion (Jan. 20, 2026).

Dated February 9, 2026

Respectively Submitted

*s/ Claudia Phaneuf*

Claudia Phaneuf  
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*Attorney for Petitioner*

**CERTIFICATE OF SERVICE**

I hereby certify that on February 9, 2026, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the Service List via CM/ECF.

*s/ Claudia Phaneuf*

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