

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

EDGAR GOMEZ-MALDONADO,

Petitioner,

V.

Civil Action No. 5:26-cv-00117

KRISTI NOEM,
Secretary of Homeland Security;

TODD LYONS,
Acting Director, U.S. Immigration and
Customs Enforcement,

SYLVESTER M. ORTEGA,
Acting Field Office Director for Detention
and Removal, San Antonio Field Office,
U.S. Immigration and Customs Enforcement,

BOBBY THOMPSON,
Warden, South Texas ICE Processing Center,

in their official capacities,

Respondents.

NOTICE OF DISMISSAL

Petitioner Edgar Gomez-Maldonado, by and through her counsel of record, respectfully files this Notice of Dismissal:

1. Petitioner dismisses the instant petition because at least one of his claims was not ripe when the petition was filed. Unbeknown to undersigned counsel, the immigration court reopened Petitioner's removal order and then it was reinstated fifteen days later. To ensure proper presentation of his claims, Petitioner is dismissing and intends to re-file.

2. Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the above-captioned action shall be dismissed without prejudice.

3. This action is not a class action nor has a receiver been appointed by a federal court.

4. On January 28, 2026, Petitioner's attorney conferred with Federal Respondents' counsel, Assistant U.S. Attorney Lacy McAndrew, regarding the instant dismissal and re-filing. She stated that Federal Respondents are not opposed.

Dated: January 28, 2026

Respectfully submitted,

/s/ Javier N. Maldonado

Javier N. Maldonado

TX Bar No. 00794216

Fed. Bar No. 20113

Law Office of Javier N. Maldonado, PC

8620 N. New Braunfels, Ste. 605

San Antonio, Texas 78217

Telephone: (210) 277-1603

Facsimile: (210) 587-4001

Email: jmaldonado.law@gmail.com

ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I certify that on January 28, 2026, a copy of the foregoing was filed electronically and that service will be made to all counsel of record via the Court's ECF/CM system.

/s/ Javier N. Maldonado

Javier N. Maldonado