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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS**

KELY VILLATORO, ET AL.,

Petitioners,

V.

Kristi NOEM, et al.,

Respondents.

) Case No. 5:26-cv-00124-XR

) PETITIONERS' MOTION TO
) DISMISS

1 Petitioners submit this Motion to Dismiss the Petition for Writ of Habeas
2 Corpus without Prejudice.

3
4 On February 17, 2026, Petitioners were released from the Dilley Detention
5 Center. Counsel notified the US Attorney's office via email requesting their
6 position on a joint motion to dismiss but no response was received.
7

8 In light of Petitioners' release, they agree that the Petition for Writ of
9 Habeas Corpus is now moot, as petitioners are no longer in custody for purposes of
10 federal habeas corpus relief. 28 U.S.C. § 2241(c)(3). Accordingly, Petitioners
11 respectfully request that the Court dismiss the Petition as moot, without prejudice.
12
13

14 Dated: February 20, 2026

Respectfully Submitted,
/s/Roxana V. Muro

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CERTIFICATE OF SERVICE

I hereby certify that on February 20, 2026, I electronically filed the foregoing Motion to Dismiss, which will send notification of such filing to those attorneys of record registered on the CM/ECF system. All other parties shall be served in accordance with the Federal Rules of Civil Procedure.

Dated: February 20, 2026

Respectfully Submitted,
/s/Roxana V. Muro

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