
**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

Lidia ESCOBAR MAYA

**PETITIONER'S STATUS REPORT
AND MOTION TO REMOVE
ANKLE MONITOR**

Petitioner

Case No: EP-26-CV-161-KC

v.

Kristi NOEM et al.,

Respondents.

**PETITIONER'S STATUS REPORT AND MOTION TO REMOVE ANKLE
MONITOR**

Pursuant to the Court's order [ECF No. 13], Petitioner provides this status report confirming that the Respondents have returned the Petitioner's driver's license.

Petitioner, through the undersigned attorneys, would also like to move this Court to order Respondents to remove the GPS ankle monitor device and any other intrusive conditions of release that are not reasonable. This Motion is based on the following:

1. Petitioner filed a Petition for Habeas Corpus, and this Court granted the petition in part on procedural due process grounds [ECF No. 7]. In the Order, this Court ordered Respondents to provide Ms. Escobar Maya with a bond hearing before an IJ on or before February 10, 2026, or release the Petitioner from custody, under reasonable conditions of supervision.
2. Respondents submitted a Status Report on February 10, 2026 [ECF No. 8] stating that the Petitioner was in the process of being released from custody.

3. On February 11, 2026, Petitioner informed the Court that she was released on February 10, 2026, but the Respondents retained control over her Driver's license. The Petitioner requested that this Court order the Respondents to return the Petitioner's personal property [ECF No. 9].
4. On February 13, 2026, the Court ordered Respondents to file a response to the Petitioner's Notice, ECF No. 9, regarding the return of her driver's license. *See* Feb. 13, 2026, Order [ECF No. 10].
5. On February 23, Respondents informed the Court that they were currently coordinating the return of the Petitioner's driver's license to her attorney. [ECF No. 12].
6. Now, the Petitioner is submitting this Status Report acknowledging this Court that the Respondents have returned the Petitioner's driver's license.
7. Although the Respondents have returned the Petitioner's Driver's License, they have violated the Court Order from February 3, 2026 [ECF No. 7] because, upon release, they placed an ankle monitor on the Petitioner.
8. Placing an ankle monitor on the Petitioner is an unreasonable condition of release, because Ms. Escobar Maya is not a flight risk nor a danger to the community. The Petitioner has no prior record of nonappearance at immigration court proceedings. She last arrived in the United States approximately 22 years ago, and she has been regularly employed and has maintained a fixed address. The Petitioner has multiple family members and friends with lawful status in the United States, including two U.S. citizen sons.

9. Besides being an unreasonable condition of release, the ankle monitor is causing the Petitioner great distress. Petitioner had been in a severe motor vehicle accident in 2005. She had suffered extensive injuries, which required the placement of screws in her lower back (near her sciatic nerve) and right foot. She still suffers from chronic pain in her lower back due to this accident. In addition to these long-lasting effects from the accident, the Petitioner now suffers emotional and financial hardship because of the ankle monitor she has to wear. Ms. Escobar Maya is ashamed to leave her house to return to work, and that is causing her financial hardship.
10. The Petitioner, through her attorney, has requested the Respondents to remove her ankle bracelet and put her on a less physically restrictive form of supervision, and she is still waiting for a response.
11. Petitioner notes that other Courts have found it proper to ameliorate unlawful conditions of release pursuant to a habeas petition. *See Barreno v. Juan Baltasar, Warden, Aurora ICE Processing Ctr.*, 25-cv-03017-GPG-TPO, 2026 U.S. Dist. LEXIS 9571, *6-7 (D.C. Colo. January 15, 2026); *see also N-N v. McShane*, No. 25-5494, 2025 U.S. Dist. LEXIS 220871 (E.D. Pa. November 6, 2025) (concluding ICE's use of an ankle monitor when the IJ did not require one is a breach of its own rules); *see also Palacio v. Hermosillo*, No. C25-1983-RSM-MLP, 2025 U.S. Dist. LEXIS 270854 (W.D. Wa. December 22, 2025). As one court recently put it: "ICE's use of GPS monitor and other measures instead of a ball and chain makes no difference." *Barreno*, *supra* at *6.

12. Consequently, Petitioner, by and through undersigned counsel, moves this Court to order Respondents to remove the Petitioner's ankle monitor pursuant to this Court's order.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- a. Maintain jurisdiction over this matter;
- b. Require Respondents to make immediate arrangements for the removal of the GPS ankle monitor from Petitioner; and
- c. Grant any other and further relief that this Court deems just and proper.

Date: 03/10/2026

Respectfully Submitted:

/s/ Brendan K. McBride
Brendan K. McBride
Texas State Bar No. 24008900
The McBride Law Firm
316 E. Main St., Ste. 30
Anoka, MN 55303
Phone (210) 386-7357
Email Mcbride.bkl@gmail.com

and

/s/ Terja K. Bouvin Larsen
Terja K Bouvin Larsen
Minnesota Stat Bar No. 0319594
Bienvenidos Law Firm, Inc.
316 E Main St.
Anoka, MN 55303
Phone (763) 951-2235
Email terja@bienvenidoslaw.com

Attorneys for Petitioner