

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

OLGER HUMBERTO CALLE
QUITUIZACA

Petitioner,

v.

ANGEL GARITE, in his official capacity
as Assistant Field Office Director of
Enforcement and Removal Operations, El
Paso Field Office,
U.S. Immigration and Customs
Enforcement;

MARY DE ANDA-YBARRA, in her
official capacity as Field Office Director of
Enforcement and Removal Operations, El
Paso Field Office, U.S. Immigration and
Customs
Enforcement;

TODD LYONS, in his official capacity as
Acting Director and Senior Official
Performing the Duties of the Director of
U.S. Immigration and Customs
Enforcement;

KRISTI NOEM, in her official capacity as
Secretary of the U.S. Department of
Homeland Security;

PAMELA BONDI, in her official capacity
as United States Attorney General;
And

Warden, in his official capacity, of the
ERO El Paso Camp East Montana
Detention Facility.

Case No. EP-26-CV-00179-DB

NOTICE OF VIOLATION OF

ORDER AND MOTION TO

ENFORCE

Respondents.

**NOTICE OF VIOLATION OF ORDER AND MOTION TO
ENFORCE**

1. Petitioner Olger Humberto Calle Quituizaca filed a Petition for Habeas Corpus and a request to require Respondents return to him all of his property upon release.
2. The Court ordered Respondents grant Petitioner a bond hearing before an IJ.
3. The IJ granted Petitioner release on bond at his hearing.
4. No other conditions were imposed by either the IJ or the Court.
5. Respondents violated the Court's order and retained the Petitioner's property upon release.
6. In contravention of the Court Order, Respondents have retained:
 - a. Mr. Olger Humberto Calle Quituizaca's Employment Authorization Document (EAD); and
 - b. Mr. Olger Humberto Calle Quituizaca's Driver's License.
7. Deprivation of his lawfully issued legal identification documents is an injury to and restraint upon Petitioner's liberty. The Supreme Court has noted that a driver's license may be "essential in pursuit of a

livelihood.” *Bell v. Burson*, 402 U.S. 535, 539 (1971). A Minnesota Court recognized in a similar ICE property retention case, that identification documents are essential to modern life: to free movement, to work, to support one’s family and participate in the community. See Attached Court Order.

8. Petitioner’s counsel has emailed the AUSA assigned to this case, the St. Paul ICE Field Office, the El Paso Field Office, and a Minnesota AUSA to secure release of these documents, but no office has been able to confirm the location of Petitioner’s property, or describe a procedure or timeline for their return.
9. The St. Paul ICE Field Office represented the El Paso Field Office may have actual custody of the Petitioner’s property. The El Paso Field Office has not responded to any outreach to date. The location and true custodian of Petitioner’s property remains unknown.
10. Consequently, Petitioner, by and through undersigned counsel, moves that Respondents be held in contempt until such time as his above enumerated government-issued identification documents are returned to him, pursuant to this Court’s orders.

PRAYER FOR RELIEF

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

- a. Maintain jurisdiction over this matter;
- b. Hold Respondents in contempt until they effect the **return**
Petitioner's government-issued identification documents;
- c. Require Respondents produce affidavits documenting their efforts to locate and return the Petitioner's property, and naming the ERO officials with actual custody of these documents to enable the Court to seek further testimony;
- d. Petitioner further requests the enumerated documents be returned to the office of Petitioner's counsel by a definite time to ensure their prompt and secure delivery; and
- e. Grant any other and further relief that this Court deems just and proper.

DATED: February 20, 2026

Respectfully submitted,

/s/ Solomon Daniel Steen

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