

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

JANINA STEFANIA MONTERO GRANDA  
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;

MAJ. GEN. CURTIS TAYLOR, in his official  
capacity as Senior Commander of Fort Bliss,  
Texas;

and

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

Respondents.

Case No. 3:26-CV-00235-LS

**PETITIONER'S MOTION TO  
DISMISS WITHOUT PREJUDICE**

**PETITIONER'S MOTION TO DISMISS WITHOUT PREJUDICE**

Petitioner, Janina Stefania Montero Granda, respectfully motions the Court to dismiss her habeas corpus petition without prejudice. Respondents currently have a deadline to respond to an order to show cause by February 19, 2026. Respondents have not yet filed an answer. Under the Fed. R. Civ. P. 41(a)(1)(A)(i), "the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves an answer or a motion for summary judgment[.]" No answer has been filed by the Respondents and thus the Court should dismiss the petition without prejudice.

Respectfully submitted,

/s/Brenda M. Villalpando  
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*Counsel for the Petitioner*

Dated this 3<sup>rd</sup> day of February 2026

**CERTIFICATE OF SERVICE**

I, undersigned counsel, hereby certify that on this date, I filed Petitioner's Motion to Dismiss without Prejudice using the CM/ECF system.

/s/Brenda M. Villalpando  
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