

United States Court
Southern District of Texas
FILED

FEB 25 2026

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

IN RE: FAUSTINO ANTONIO GRUEIRO AÑUEZ,
Petitioner,

v.

WARDEN, KARNES COUNTY IMMIGRATION PROCESSING CENTER;
U.S. DEPARTMENT OF HOMELAND SECURITY;
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,
Respondents.

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EMERGENCY MOTION TO EXPEDITE CONSIDERATION
OF RESPONSE TO ORDER TO SHOW CAUSE AND HABEAS PETITION

TO THE HONORABLE JUDGE ORLANDO L. GARCIA:

Petitioner, by and through his Next Friend, respectfully files this Emergency Motion to Expedite consideration of (1) Petitioner's Response to the Court's Order to Show Cause (Dkt. 12), and (2) the pending Petition for Writ of Habeas Corpus, and in support states as follows:

I. PROCEDURAL POSTURE

On February 5, 2026, this Court issued an Order to Show Cause directing the Next Friend to demonstrate why this matter should not be dismissed. Petitioner has timely complied. Due to extraordinary circumstances involving Petitioner's age, medical deterioration, and unconstitutional conditions of confinement, expedited review is warranted.

II. LEGAL STANDARD

Federal courts possess inherent authority to manage their dockets and expedite

proceedings where justice so requires. See *Landis v. North American Co.*, 299 U.S. 248 (1936). Expedited consideration is appropriate where delay risks irreparable harm.

III. MEDICAL EMERGENCY AND IRREPARABLE HARM

Petitioner is a 58-year-old civil detainee suffering from chronic asthma and serious orthopedic complications involving a surgically implanted metal rod that requires urgent medical intervention. ICE has failed to provide constitutionally adequate care.

Continued delay exposes Petitioner to:

- Permanent physical injury
- Severe infection or amputation
- Risk of death

Such harm cannot be remedied retroactively and constitutes irreparable injury.

IV. UNLAWFUL PROLONGED DETENTION

Petitioner remains detained without a constitutionally sufficient justification. Habeas petitions challenging unlawful detention and medical neglect require prompt judicial review. See *Zadvydas v. Davis*, 533 U.S. 678 (2001).

V. BALANCE OF EQUITIES

The balance of equities weighs heavily in favor of expedition. Respondents will suffer no prejudice from expedited review, while Petitioner faces substantial risk from continued delay.

VI. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the Court:

1. Expedite consideration of Petitioner's Response to the Order to Show Cause;
2. Expedite review of the pending Petition for Writ of Habeas Corpus;
3. Grant any other relief the Court deems just and proper.

Respectfully submitted,

Liset Grueiro
Next Friend for Petitioner

Signature: *Ali*
Date: 02/16/2026