

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

FORT WORTH DIVISION

LUIS ALBERTO DE LA CRUZ MORA,
Petitioner,

v.

WARDEN, PRAIRIELAND DETENTION CENTER,
Respondent.

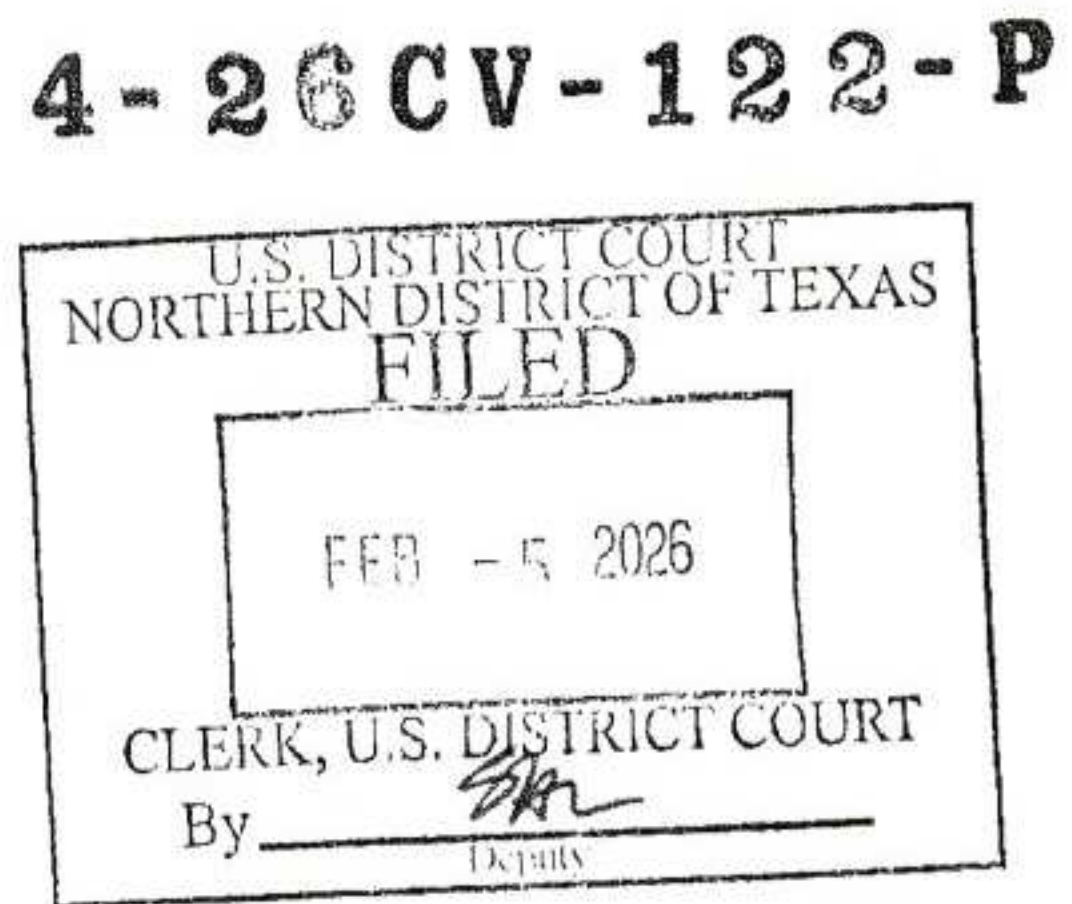
EMERGENCY MOTION TO EXPEDITE

(ULTRA EXTENSIVE – FEDERAL JUDGE LEVEL)

COMES NOW Petitioner, LUIS ALBERTO DE LA CRUZ MORA, by and through his Next Friend, MELISSA GONZÁLEZ OLIVERA, and respectfully moves this Honorable Court to EXPEDITE consideration of the pending Petition for Writ of Habeas Corpus and all related motions, including the Emergency Motion for Immediate Release.

I. AUTHORITY TO EXPEDITE

Federal courts possess inherent authority to control their dockets and to expedite matters where justice so requires. *Landis v. North American Co.*, 299 U.S. 248 (1936). Habeas corpus petitions are entitled to prompt and preferential treatment. 28 U.S.C. § 2243.



II. EMERGENCY GROUNDS REQUIRING EXPEDITED REVIEW

Petitioner is a 56-year-old Cuban national suffering from serious circulatory and vascular conditions that are not being properly treated in ICE custody. Each additional day of detention exacerbates his medical condition and places him at substantial risk of irreparable harm.

III. FACTUAL BASIS FOR EXPEDITION

Petitioner was arrested during a voluntary ICE check-in without a judicial warrant or probable cause. He has been subjected to punitive and inhumane detention conditions, including extreme deprivation of food and water, prolonged shackling during transfers, overcrowding, and denial of medical care.

Petitioner has been threatened with removal or third-country deportation, creating an imminent risk that this Court's jurisdiction will be rendered moot absent expedited review.

IV. LEGAL STANDARD

Under 28 U.S.C. § 2243, courts must act "forthwith" on habeas petitions. Delays that prolong unconstitutional detention constitute irreparable injury. *Yong v. INS*, 208 F.3d 1116 (9th Cir. 2000).

V. ARGUMENT

A. Continued Detention Causes Irreparable Harm

Loss of liberty and deterioration of medical condition constitute irreparable injury. *Elrod v. Burns*, 427 U.S. 347 (1976).

B. Likelihood of Success on the Merits

The Habeas Petition establishes unlawful arrest, due process violations, and deliberate indifference to serious medical needs.

C. Balance of Equities and Public Interest Favor Expedition

Expedited review preserves constitutional rights and imposes no undue burden on Respondent.


VI. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

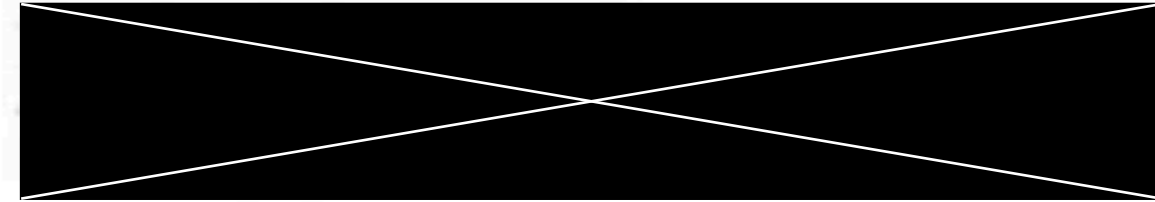
1. Expedite review of the Petition for Writ of Habeas Corpus;
2. Expedite ruling on the Emergency Motion for Immediate Release;
3. Grant such other relief as justice requires.

VII. SIGNATURE

Respectfully submitted,



MELISSA GONZÁLEZ OLIVERA
Next Friend for Petitioner



Date: February, 2, 2024