

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

HENRY MIGUEL ECHENIQUE PACHECO,)
Petitioner,)

v.) Case No. _____
)

MERRICK B. GARLAND, Attorney General of the United States;)
TAE D. JOHNSON, Acting Director, ICE;)
WARDEN, DIAMONDBACK CORRECTIONAL FACILITY,)
Respondents.)

FILED
FEB 05 2026
JOAN KANE, CLERK
U.S. DIST. COURT WESTERN DIST. OKLA.
BY naa, DEPUTY

EMERGENCY MOTION TO EXPEDITE

Petitioner Henry Miguel Echenique Pacheco, by and through his Next Friend, Esther Nohemi Gómez Barrios, respectfully moves this Honorable Court to expedite consideration and adjudication of Petitioner's pending Petition for Writ of Habeas Corpus and Emergency Motion for Immediate Release.

I. INTRODUCTION AND EMERGENCY BASIS

This Motion is filed on an emergency basis due to the extraordinary circumstances of this case. Petitioner is a civil immigration detainee with a history of severe cardiac disease, including two prior myocardial infarctions. Continued detention poses an imminent risk to his life.

II. FACTUAL BASIS FOR EXPEDITED REVIEW

Petitioner voluntarily appeared at his regular ICE appointment on December 22, 2025, and was taken into custody without a judicial warrant or individualized finding of necessity.

Petitioner has no criminal history and poses no danger to the community.

Petitioner is currently detained at Diamondback Correctional Facility under conditions that

include inadequate medical care, spoiled or insufficient food, rationed water, racial discrimination, and psychological abuse.

Petitioner has experienced significant physical and emotional deterioration, including weight loss, depression, anxiety, and exacerbation of his cardiac condition.

III. 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); Fed. R. Civ. P. 1.

IV. ARGUMENT

A. Imminent Risk of Irreparable Harm Warrants Expedited Review

Where a petitioner faces immediate risk of serious injury or death, expedited consideration is appropriate. See *Nken v. Holder*, 556 U.S. 418 (2009).

B. Continued Detention Violates Due Process

Petitioner's detention is civil in nature and has become punitive. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

C. Expediency Is Necessary to Preserve the Court's Ability to Grant Meaningful Relief

Delay risks rendering the Court's review moot by exposing Petitioner to irreversible harm.

V. RELIEF REQUESTED

Petitioner respectfully requests that this Court:

1. Expedite consideration of the Petition for Writ of Habeas Corpus;
2. Expedite consideration of the Emergency Motion for Immediate Release;
3. Grant any other relief deemed just and proper.

VI. VERIFICATION AND SIGNATURE

I, Esther Nohemi Gómez Barrios, declare under penalty of perjury pursuant to 28 U.S.C. §

1746 that the foregoing is true and correct.

Esther GB -
Esther Nohemi Gómez Barrios
Next Friend of Petitioner
Date: 01/31/2026