

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

FILED
APR 24 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

Martha Cecilia Gavilanes Toaquiza,

Civil Action No. 3:26-cv-00365

Petitioner,

v.

Pamela Bondi, Attorney General, et al.,
Respondents.

**MOTION FOR RULING ON
PETITION FOR WRIT OF HABEAS CORPUS**

INTRODUCTION

Petitioner's Next Friend respectfully moves this Court for an immediate ruling on his Petition for Writ of Habeas Corpus. All briefing is complete, and this matter is now fully submitted and ripe for decision.

Every day that passes without a ruling is a day that Petitioner remains in civil immigration detention in violation of federal law and the United States Constitution. As set forth fully in the Petition, that detention is unlawful. The urgency of this matter compels a respectful request for an immediate ruling.

FACTUAL AND PROCEDURAL BACKGROUND

1. Petitioner is a resident of Burnsville, Minnesota, and a citizen of Ecuador and has lived in the United States since January 2023.

2. Petitioner has a pending asylum application, an unexpired Employment Authorization Document and does not have a final removal order.
3. Respondent ICE arrested Petitioner without a warrant on February 2, 2026, as she was heading to work, for which she has an Employment Authorization Document.
4. Petitioner has been brought to ERO El Paso Camp East Montana Detention Center, where Petitioner is currently detained under the custody of Respondents.
5. Petitioner filed the instant Petition for Writ of Habeas Corpus on February 6, 2026, challenging the lawfulness of her civil immigration detention.
6. Respondents filed a response to the order to show cause on February 9, 2026. This matter has been fully briefed and submitted to the Court for decision. No ruling has been issued.

ARGUMENT

I. THIS COURT HAS AUTHORITY TO RULE IMMEDIATELY ON A FULLY BRIEFED HABEAS PETITION.

28 U.S.C. § 1651 authorizes federal courts to "issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law." Federal courts possess the inherent power to manage their dockets and to act with dispatch when liberty interests are at stake. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936).

Courts across the nation regularly recognize that a detained habeas petitioner's request for an expedited ruling is legally cognizable and appropriate where all briefing is complete.

Where, as here, the petition has been fully submitted, no additional briefing is required, and no outstanding motions remain pending, there is no procedural impediment to the Court issuing a ruling at any time.

**II. THE PROLONGED NATURE OF PETITIONER'S DETENTION MANDATES
PROMPT JUDICIAL REVIEW.**

Petitioner has now been detained for 2 months. This is not a matter of speculative future harm since Petitioner is currently confined, her liberty has been continuously curtailed since February 2, 2026, and each passing day compounds the constitutional violation at the heart of this Petition.

Every additional day of detention without a ruling further erodes Petitioner's constitutional rights.

CONCLUSION

For the foregoing reasons, Petitioner respectfully urges this Court to issue an immediate ruling on the fully briefed Petition for Writ of Habeas Corpus.

Respectfully submitted,



Edison Adrian Chicaiza Toaquiza
As Next Friend

CERTIFICATE OF SERVICE

I hereby certify that on April 17, 2026, I caused a copy of the Motion for Ruling on Petition
For Writ Of Habeas Corpus to be served by first class mail, postage paid, to the following:

US Attorney's Office
700 E. San Antonio, Suite 200
El Paso, Texas 79901

ERO El Paso Camp East Montana
6920 Digital Road
El Paso, TX 79936

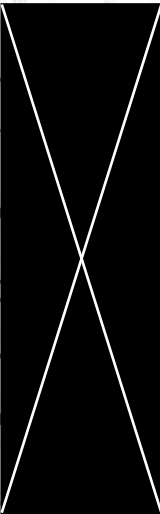


Edison Adrian Chicaiza Toaquiza
As Next Friend

Edison Chicaiza Torres

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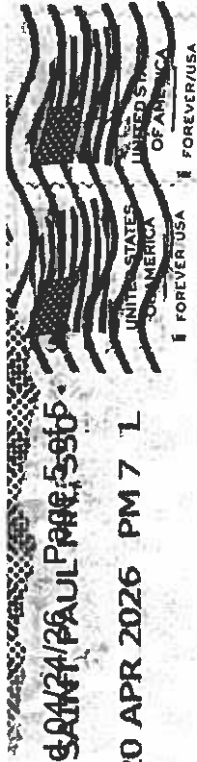


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