

I. Summary

Petitioner seeks a brief extension of the March 3, 2026 deadline to amend his habeas petition, expedited consideration of his pending Motion to Appear *Pro Hac Vice* (Dkt. 8), and narrowly tailored ancillary relief under 28 U.S.C. § 2241 directing Respondents to take all reasonable steps, within their authority, to seek an administrative pause of Petitioner's asylum proceedings, including the April 14, 2026 hearing, until this Court can meaningfully review his civil detention. These requests follow a constitutionally defective bond process that has kept Petitioner detained, materially impairing his ability to prepare his asylum case and risking that the habeas action will become ineffective or moot if the asylum case proceeds before this Court rules.

These requests underscore that, even under the current Fifth Circuit framework, habeas corpus remains available to remedy constitutionally defective custody determinations and to ensure that detention does not become prolonged and effectively unreviewable.

II. Background

Petitioner has remained in civil immigration detention since October 22, 2025. The January 27, 2026 bond hearing was constitutionally defective because it (a) improperly shifted the burden of proof onto Petitioner, contrary to authority requiring the government to justify continued civil detention at § 1226(a) hearings, and (b) disregarded substantial, record-supported equities favoring release, thereby violating due process and prejudicing Petitioner's ability to prepare for his asylum proceedings. Given Petitioner's ongoing civil detention and restricted access to counsel and records, undersigned appears as next friend pending approval of his *Pro*

Hac Vice application and formal appearance as counsel of record, to ensure that Petitioner's detention and related constitutional claims receive meaningful judicial review. Petitioner's habeas claims thus sound in procedural due process, challenging the fairness and adequacy of the bond proceedings and the resulting prolonged civil detention.

Following a motion for bond redetermination based on changed circumstances, the Immigration Court held a rehearing on February 12, 2026. At that rehearing, immigration counsel presented a detailed transportation plan that fully addressed the Immigration Judge's prior concerns regarding Petitioner's driving ability, explaining that Petitioner would use Uber, Lyft, or similar services in addition to family members for all transportation needs during the pendency of his immigration proceedings and that he was willing to comply with any additional reasonable court-imposed conditions.

Had a constitutionally adequate bond determination been made, Petitioner would now be at liberty preparing his asylum case, rather than suffering substantial prejudice from limited access to counsel, evidence, hearing preparation while in detention.

III. Procedural Posture

On February 24, 2026, this Court directed undersigned counsel to seek *Pro Hac Vice* admission and to file an amended habeas petition by March 3, 2026. Undersigned promptly filed the Motion to Appear *Pro Hac Vice* the next business day (Dkt. 8), which remains pending before Magistrate Judge Lane. See Dkts. 6, 8.

Pending admission, undersigned cannot appear as counsel of record or file documents via CM/ECF. Accordingly, this motion is submitted through the Court's Electronic Submission

for *Pro Se* Filers portal to ensure timely filing and service. Consistent with this Court's Administrative Policies and Procedures for Electronic Filing, eligible *Pro Se* litigants may file traditionally or via the Electronic Submission for *Pro Se* Filers portal pending admission and CM/ECF registration, and this submission is made on that basis.

IV. Concurrent Immigration Court Filings

This week, Petitioner's immigration counsel will submit a written motion to the Immigration Court requesting a continuance / court-approved postponement of the April 14, 2026 Master Calendar Hearing to allow this Court to decide the pending habeas corpus petition (Case No. 1:26-cv-00294-RP-ML). That motion will advise the Immigration Judge that Petitioner's continued detention has seriously prejudiced his ability to prepare his asylum case and that allowing the asylum proceedings to move forward before this Court rules on the habeas petition risks rendering the habeas action effectively moot. It will further explain that the timing and outcome of the habeas case—whether release, a new bond hearing under different judge, or continued detention—will directly and materially affect evidentiary preparation, case strategy, and overall readiness for the asylum hearing, and that the Immigration Court should therefore await this Court's ruling before proceeding to an asylum merits schedule.

This parallel filing demonstrates good-faith coordination between the District Court and Immigration Court proceedings and underscores that a brief extension is necessary to preserve meaningful due process and to ensure that this Court's habeas review remains effective.

V. Argument

Given Petitioner's ongoing detention, the imminence of the asylum hearing, and the pending Motion to Appear *Pro Hac Vice*, requiring compliance with the current March 3 deadline would unreasonably prejudice Petitioner's right to effective representation, whereas a brief extension would avoid that prejudice without burdening Respondents. The extension will allow admitted counsel to review the full record, confer with Petitioner, and file a well-supported amended petition that clearly sets out the constitutional defects in the custody determination and the resulting prejudice to Petitioner's asylum preparation.

The requested extension and ancillary relief will preserve the *status quo* pending a fair review of Petitioner's detention, prevent the habeas remedy from becoming illusory or moot simply because the parallel asylum proceedings move forward first, avoid duplicative or premature asylum proceedings, and impose no prejudice on Respondents, who remain fully able to defend their actions once counsel is properly admitted. This motion is made in good faith, supported by diligent action, and is narrowly tailored to prevent irreparable harm to Petitioner's statutory and constitutional interests.

VI. Prayer for Relief

Petitioner respectfully requests that the Court:

- a. Extend the March 3, 2026 deadline to file an amended petition to seven (7) days after the Court rules on the Motion to Appear *Pro Hac Vice* (Dkt. 8);

- b. Grant expedited consideration of both this motion and Dkt. 8 to facilitate counsel's prompt admission;
- c. Direct Respondents to take all reasonable steps, within their authority, to seek an administrative pause of Petitioner's asylum proceedings, including the April 14, 2026 hearing, or otherwise maintain conditions so that the habeas remedy is not rendered illusory or moot, pending the Court's rulings or resolution of Petitioner's detention status; and
- d. Grant such other and further relief as may be just and proper in light of Petitioner's continuing civil detention and ongoing habeas litigation.

Respectfully submitted,

Dated: March 2, 2026

/s/ William J. Furlow
William James Furlow
Pro Hac Vice Counsel Applicant (pending application)
and Next Friend for Petitioner
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CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2026, a true and correct copy of the foregoing *Motion to Extend Habeas Amendment Deadline, Expedite Pro Hac Vice Motion, and Ancillary Order Pausing Imminent Asylum Proceedings Pending Habeas Ruling to Avoid Mootness* was served upon all parties/respondents as follows:

This motion was submitted electronically via the Court's Electronic Submission for *Pro Se* Filers portal, as the filer is not yet a registered Filing User (*Pro Hac Vice* admission pending), no Notice of Electronic Filing (NEF) was generated by the CM/ECF system to constitute automatic service. Upon grant of the pending Motion to Appear *Pro Hac Vice* (Dkt. 8), future filings and service will proceed via full CM/ECF, with the NEF constituting service on registered Filing Users.

Service on Respondents' counsel of record was accomplished electronically by email, in accordance with Federal Rule of Civil Procedure 5(b)(2)(E) and customary practice in this District for represented parties:

- Mary F. Kruger
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I declare under penalty of perjury that the foregoing is true and correct

Respectfully submitted,

Dated: March 2, 2026

/s/ William J. Furlow
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and Next Friend for Petitioner
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