

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

YENIER CRUZ GONZALEZ,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary,

Department of Homeland Security, et al.,

Respondents.

No. EP-26-CV-00390-DB

FILED
APR 28 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERK

NOTICE REGARDING TRANSFER ATTEMPT AND MEDICAL CONCERNS

TO THE HONORABLE COURT:

Petitioner, through his next friend, respectfully submits this Notice to inform the Court of recent events regarding an attempted transfer and to raise ongoing medical concerns.

1. Attempted Transfer Outside the District

On or about April 23, 2026, Petitioner was transported from Texas to a detention facility in Otero, New Mexico. Upon arrival, officials at that facility reportedly refused to accept Petitioner due to the Court's Order. As a result, Petitioner was returned to the prior detention location. This sequence of events demonstrates that an attempted transfer outside the jurisdiction occurred despite the Court's directive, and that the transfer was ultimately reversed after recognition of the Order.

2. Medical Concerns

Petitioner continues to experience significant medical issues while in detention: flu-like symptoms, persistent and significant back pain related to a prior surgery, and inability to complete proper rehabilitation. Petitioner has now been detained by ICE for approximately ten (10) months, further underscoring the prolonged nature of his detention and the lack of any significant likelihood of removal in the reasonably foreseeable future. These conditions raise serious concerns regarding his health and access to appropriate medical care while in custody.

3. Request for Consideration

The undersigned next friend respectfully notes that, due to active duty military obligations, she may be subject to reassignment or PCS on short notice, which could impact her ability to remain continuously available to assist in this matter, further supporting the need for expedited consideration.

In light of the above, Petitioner respectfully requests that the Court:

1. Take notice of the attempted transfer outside the jurisdiction and subsequent return;
2. Consider Petitioner's ongoing medical condition;
3. Grant appropriate relief, including expedited consideration of the pending Petition.

Respectfully submitted,



Herlim Cruz Gonzalez
Next Friend of Petitioner
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CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of April, 2026, I caused a true and correct copy of the foregoing Notice of Violation of Court Order and Medical Concerns to be served upon counsel for Respondents by mailing a copy via U.S. Mail and by electronic mail as follows:

Nathan Ripley

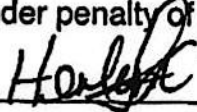
Special Assistant United States Attorney

700 E. San Antonio Ave., Suite 200

El Paso, TX 79901

Email: Nathan.Ripley@usdoj.gov

I declare under penalty of perjury that the foregoing is true and correct.



Herlim Cruz Gonzalez

Next Friend of Petitioner