

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

Lleymi Valenzuela Sanchez,

Petitioner,

vs.

KRISTI NOEM, in her official capacity as Secretary of the United States Department of Homeland Security, PAMELA BONDI, in her official capacity as Attorney General of the United States, TODD LYONS, in his official capacity as Acting Director, United States Immigration and Customs Enforcement, DAREN MARGOLIN, in his official capacity as Acting Director of the Executive Office of Immigration Review, and JOHN DOE, in his official capacity as the Warden of the El Paso Processing Center in El Paso, Texas,

Respondents.

Case No.: EP-26-CV-404-KC

**MOTION TO REOPEN AND TO
ENFORCE COURT'S ORDER**

INTRODUCTION

Pursuant to the Court's Final Judgment dated February 27, 2026, *see* ECF No. 10, Petitioner brings this Motion to Reopen and to Enforce the Court's Order based on Respondents' failure to allow her to post bond, and Respondents' continued unlawful detention of Petitioner. For the reasons outlined below, the Court should reopen the case and order Respondents to immediately release Valenzuela Sanchez or order Respondents to provide an immediate method for Valenzuela Sanchez to post bond and direct Respondents to accept the bond amount set by Immigration Judge Miles.

FACTUAL BACKGROUND

On February 10, 2026, Petitioner Lleymi Valenzuela Sanchez filed an Emergency Petition for Writ of Habeas Corpus and a request to require Respondents return to her all of her property upon release. (ECF No. 1.)

On February 19, 2026, after briefing from the parties, the Court entered an order granting the Petition in part on procedural due process grounds, and ordering Respondents to either: (1) provide Valenzuela Sanchez with a bond hearing before an IJ, at which the Government shall bear the burden of justifying, by clear and convincing evidence of dangerousness or flight risk, Valenzuela Sanchez's continued detention; or (2) release Valenzuela Sanchez from custody, under reasonable conditions of supervision. (ECF No. 8.)

On February 24, 2026, a bond hearing was held before Immigration Judge Jessica Miles. (Declaration of Steven Quam ("Quam Decl."), ¶ 2.) Judge Miles granted Valenzuela Sanchez's release upon posting of bond set at \$15,000. (Quam Decl., Ex. A.)

After the bond order was entered, Respondents did not file an EIOR-23 or otherwise take any action to stay the bond order. (Quam Decl., ¶ 4.)

On February 24, February 25, February 26, and February 27, counsel for Valenzuela Sanchez made numerous attempts to post the bond in the amount set by Immigration Judge Miles. (Quam Decl., ¶ 5.) Petitioner's counsel has attempted to post

the bond through Respondents' CeBOND website¹, which is dedicated to posting bonds for detainees, but the CeBOND website does not recognize Lleydi Valenzuela as being eligible for bond despite Judge Mile's February 24, 2026 bond order. (Quam Decl., ¶ 5.)

Petitioner's counsel have made numerous calls to the Field Office in El Paso where Valenzuela Sanchez is being held, a call to the Field Office in Minnesota where Valenzuela Sanchez resides, and calls to a general number referenced on the DHS website in an effort to resolve this issue. (Quam Decl., ¶ 6.) During some of the calls with Respondents' agents, the agents were not able to identify any information regarding the bond for Valenzuela Sanchez. (Quam Decl., ¶ 6.) In others, although the agents were able to access some information regarding Valenzuela Sanchez, they were not able to provide any information regarding when or how the bond could be paid, and why Valenzuela Sanchez is not showing up on the CeBOND system. (Quam Decl., ¶ 6.)²

Additionally, Petitioner's counsel have also sent repeated emails to both Elias Gastelo, General Counsel for the El Paso Ice Field Office, and to the El Paso Field Office's outreach email address. (Quam Decl., Ex. B.) Petitioner's counsel has not received a response to any of these emails, and Valenzuela Sanchez remains detained. (Quam Decl., ¶ 7.)

¹ The CeBOND website is a U.S. Immigration and Customs Enforcement website for, among other things, "post[ing] cash immigration bonds for detained alines[.]" See <https://www.ice.gov/detain/detention-management/bonds>.

² Curiously, Valenzuela Sanchez does not appear in the ICE detention locator either. (Quam Decl., ¶ 7.)

Valenzuela Sanchez's son Victor Delgado, a United States citizen, has similarly been trying, since the afternoon of February 24, 2026, to post the bond for Valenzuela Sanchez. (Quam Decl., ¶ 8.) Mr. Delgado, who is ready, willing, and able to post the bond, has been prevented from doing so by the CeBOND system and Respondents' agents. (*Id.*)

On February 26, 2026, Respondents filed a Status Report for this matter. (ECF No. 9.) The Status Report accurately states that a bond hearing was held and that bond in the amount of \$15,000 was set, and a copy of the bond order is attached to the status report. (*Id.*) Respondents' status report does not, however, inform the Court that Valenzuela Sanchez remains detained. The Status Report likewise does not inform the Court that the CeBOND system does not allow for the payment of the bond for Valenzuela Sanchez, nor does it inform the Court that no other arrangements have been made that would allow Valenzuela Sanchez to post the bond.

On February 27, 2026, counsel for Valenzuela Sanchez sent an email to counsel for Respondents in this matter regarding the situation. (Quam Decl., Ex. C) Counsel for Respondents have not yet provided any response to the email. (Quam Decl., ¶ 9.) Because Respondents are refusing to accept the bond set by Judge Miles pursuant to the bond hearing ordered by this Court, Valenzuela Sanchez remains in custody.

LEGAL ARGUMENT

Respondents' refusal to allow Petitioner to post bond is a violation of her due process rights, and this Court's prior orders. This Court held that Valenzuela Sanchez's continued detention without a bond hearing violates her procedural due process rights and

ordered Respondents to either release Petitioner or provide her with a bond hearing. (*See* ECF. No. 8.) It did so relying on its prior holdings that “mandatory detention without a bond hearing” violates procedural due process. *See, e.g., Lopez-Arevelo v. Ripa*, 801 F. Supp. 3d 668, 687 (W.D. Tex. 2025). That holding is rendered completely ineffectual if people like Petitioner, who are ordered released on bond, are not permitted to post the bond amount.

Respondents have failed to comply with this Court’s orders because they have failed to provide Petitioner any method to post bond, refused to accept her bond payment or provide her with a method to make the payment, and continue to unlawfully detain her. Respondents’ status report is incomplete. It informs the Court that a bond hearing was held but fails to inform the Court of key facts: that Petitioner remains detained, that she has repeatedly attempted to post bond, and that Respondents have refused to accept the bond amount or provide her with a method to make the payment. (*See* ECF No. 8 (ordering Respondents to provide the Court with a status report “informing the Court whether Valenzuela Sanchez had been released from custody.”).) Respondents providing Petitioner a bond hearing is meaningless if Respondents thereafter fail to provide Valenzuela Sanchez any method to post bond, fail to respond to Petitioner’s inquiries and efforts to post bond, and continue to detain her in violation of this Court’s orders and the Immigration Judge’s orders.

CONCLUSION

For the reasons set forth above, Petitioner requests that the Court reopen the case and immediately issue an order (1) directing Respondents to release Valenzuela Sanchez,

or (2) directing Respondents to provide an immediate method for Valenzuela Sanchez to post bond and directing Respondents to accept the bond amount set by Immigration Judge Miles.

Respectfully submitted,

Dated: March 2, 2026

/s/ Steven J. Quam

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CERTIFICATE OF SERVICE

Under penalties as provided by law pursuant, the undersigned certifies and states that the true and correct copies of this Motion to Reopen and to Enforce Court's Order will be served upon all counsels of record via the online CM/ECF system, on or before March 2, 2026.

/s/ Steven J. Quam

Steven J. Quam (admitted pro hac vice)
FREDRIKSON & BYRON, P.A.