

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

EL PASO DIVISION

FILED
FEB 23 2026
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY cam DEPUTY CLERK

YOENDRIS LEYVA LAMBERT,

Petitioner,

v.

WARDEN, ERO EL PASO CAMP EAST MONTANA, et al.,

Respondents.

Civil Action No.: EP-26-CV-00427-DB

RESPONSE TO COURT ORDER AND AMENDED SHOWING OF NEXT FRIEND STANDING

Petitioner, Yoendris Leyva Lambert, by and through his wife and proposed Next Friend, Ana Maris Leyva, respectfully submits this Response to the Court's Order dated February 13, 2026, and states as follows:

I. PURPOSE OF THIS FILING

1. This filing is submitted in response to the Court's Order denying Next Friend status without prejudice and granting thirty (30) days to amend the Petition to satisfy the requirements under 28 U.S.C. § 2242.
2. This Response provides the required explanation regarding Petitioner's inaccessibility and establishes that Ana Maris Leyva is truly dedicated to

Petitioner's best interests and has a significant relationship with him, as required by *Whitmore v. Arkansas*, 495 U.S. 149 (1990), and related authority.

II. PETITIONER'S INACCESSIBILITY

3. Petitioner is currently detained and has been functionally inaccessible for purposes of preparing, signing, and verifying his habeas corpus petition.
 4. Ana Maris Leyva has made multiple good-faith attempts to send the habeas corpus petition and related legal documents to Petitioner so that he could personally review, sign, and verify them.
 5. These mailings were not delivered to Petitioner, were returned, or otherwise failed to reach him through no fault of Petitioner or Ms. Leyva.
 6. As a result, Petitioner has been unable to personally execute filings on his own behalf, rendering him inaccessible within the meaning of 28 U.S.C. § 2242.
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III. NEXT FRIEND'S RELATIONSHIP AND DEDICATION

7. Ana Maris Leyva is Petitioner's lawful spouse and the mother of their minor child, who suffers from severe cerebral palsy and requires ongoing and specialized medical care.
 8. Ana Maris Leyva seeks to act as Next Friend solely to protect Petitioner's liberty and constitutional rights, and not for any improper purpose.
 9. Petitioner's continued detention has caused extreme hardship to his family, particularly to his medically fragile child, who was recently hospitalized on February 7, 2026, as reflected in the medical records submitted with this filing.
 10. Due to Petitioner's ongoing inaccessibility, acting as Next Friend is the only available mechanism for seeking habeas relief on Petitioner's behalf at this time.
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IV. EXHIBITS

11. In support of this Response, the following exhibits are submitted:

- Exhibit A: Court Order dated February 13, 2026
 - Exhibit B: Medical records and documentation regarding the minor child's condition and recent hospitalization
 - Exhibit C: Affidavit of Ana Maris Leyva (notarized), detailing Petitioner's inaccessibility and family hardship
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V. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that the Court:

- A. Accept this amended showing of Next Friend standing;
- B. Permit Ana Maris Leyva to proceed as Next Friend for Yoendris Leyva Lambert; and
- C. Allow the Court to proceed to consider the merits of the pending Petition for Writ of Habeas Corpus.

Respectfully submitted,



Ana Maris Leyva

Proposed Next Friend for Petitioner

Date: 02/18/2026

Address: 406 Olive st

City, State, ZIP: Chelsea, IA, 52215.

Telephone: 813-629-6632

Email: anamarisleyva@yahoo.com

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

YOENDRIS LEYVA LAMBERT,
Petitioner,

v.

WARDEN, ERO El Paso Camp East
Montana et al.,
Respondents.

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EP-26-CV-00427-DB

ORDER

On this day, the Court considered the “Petition for Writ of Habeas Corpus,” ECF No. 1, filed on February 12, 2026, by Ana Maris Leyva on behalf of her husband, Yoendris Leyva Lambert. Leyva filed this Petition as “next friend” of her husband. An “[a]pplication for a writ of habeas corpus shall be in writing signed and verified by the person for whose relief it is intended or by someone acting in his behalf.” 28 U.S.C. § 2242. But “[c]ourts do not automatically grant ‘next friend’ status under § 2242 to anyone that seeks to pursue an action on behalf of a petitioner.” *Romanov ex rel. Romanova v. Frink*, No. 25-cv-3133, 2025 WL 2162290, at *2 (S.D. Tex. July 30, 2025) (citing *Whitmore v. Arkansas*, 495 U.S. 149, 163–64 (1990)). To proceed as “next friend” the individual must establish: (1) “an adequate explanation such as inaccessibility, mental incompetence, or other disability why the real party in interest cannot appear on his own behalf” and (2) that the “next friend” is “truly dedicated to the best interests of the person” and has “some significant relationship with the real party in interest.” *Page v. Hogans*, No. 15-CV-597, 2017 WL 11810133, at *1–2 (S.D. Miss. Sept. 5, 2017) (quoting *Whitmore*, 495 U.S. at 163–64).

Here, Leyva fails to explain why Petitioner is unable to file on his own behalf, nor how her interests align with the protection of Petitioner’s liberty and constitutional rights. As such, the

Court finds Leyva has not satisfied either prerequisite to proceed as “next friend” on behalf of Petitioner in this matter.

Accordingly, **IT IS HEREBY ORDERED** “next of friend” status is **DENIED** as to Ana Maris Leyva. However, the Court **GRANTS** Ana Maris Leyva thirty (30) days to either: (1) amend the Petition such that the prerequisites to proceed as “next of friend” are satisfied; (2) have Petitioner file a notice he will proceed on his own behalf; or (3) hire an attorney to represent Petitioner in this matter and file an amended Petition on his behalf.

IT IS FURTHER ORDERED that the District Clerk’s Office **EMAIL** a copy of the instant order to Ana Maris Leyva at anamarisleyva@yahoo.com or any other email address on file.¹ This additional method of notification shall not alter or replace the District Clerk’s standard operating procedures to submit filings via certified mail or any other established notification method.

SIGNED this 13th day of February 2026.


THE HONORABLE DAVID BRIONES
SENIOR UNITED STATES DISTRICT JUDGE

¹ The Court notes this shall not be construed as authorization for Petitioner or “next friend” Ana Maris Leyva to submit documents to be filed to the Clerk’s Office via email. Petitioner should employ expedited mail services or deliver filings in person to the District Clerk’s office to timely comply with any deadlines set forth in this order or any subsequent orders of the Court.