

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

MANUEL SAUCEDO LEMUS	)	
	)	Case No. 5:26-cv-00415
Petitioner,	)	
	)	PETITION FOR WRIT OF
v.	)	HABEAS CORPUS
	)	(under 28 U.S.C. §2241)
Warden, Rio Grande Processing Center;	)	
Miguel VERGARA, Field Office Director of	)	
Enforcement and Removal Operations, Harlingen	)	
Field Office, U.S. Immigration and Customs	)	
Enforcement (ICE); Kristi NOEM, Secretary, U.S.	)	
Department of Homeland Security; Pamela	)	
BONDI, U.S. Attorney General; U.S.	)	
DEPARTMENT OF HOMELAND SECURITY;	)	
EXECUTIVE OFFICE FOR IMMIGRATION	)	
REVIEW,	)	
	)	
Respondents.	)	
	)	

MOTION TO VOLUNTARILY DISMISS HABEAS PETITION WITHOUT PREJUDICE

Mr. Saucedo's petition for writ of habeas corpus was filed on March 17, 2026. On May 14, 2026, an Immigration Judge (IJ) denied Mr. Saucedo's applications for relief, and he was granted a voluntary departure to his native Mexico. (Exhibit, A). The Department of Homeland Security (DHS) and the Petitioner waived appeal of the IJ's decision—accepting it as final.

For the foregoing reasons, Mr. Saucedo respectfully moves this court for voluntary dismissal of his petition for habeas corpus relief without prejudice. A proposed order is attached.

DATED this 15th of March, 2026.

Respectfully submitted,

CARDENAS & RODRIGUEZ



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Counsel for Petitioner

EXHIBIT

A



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
LAREDO IMMIGRATION COURT

Respondent Name:

SAUCEDO LEMUS, MANUEL

To:

Cardenas III, Norberto
9902 Crystal Court, Suite 101
Laredo, TX 78045

A-Number:



Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

05/14/2026

ORDER OF THE IMMIGRATION JUDGE

- ☐ This is a summary of the oral decision entered on . The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- ☒ Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent ☐ removable ☒ inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): 212(a)(6)(A)(i) & 212(a)(7)(A)(i)(I)

The immigration court found Respondent ☐ not removable ☐ not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

- ☐ Asylum was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Withholding of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

- ☐ Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☒ Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was ☐ granted ☒ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- ☐ Special Rule Cancellation of Removal under INA § 240A(b)(2) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- C. Waiver
- ☐ A waiver under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- D. Adjustment of Status
- ☐ Adjustment of Status under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice
- E. Other

III. Voluntary Departure

- ☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ denied.
- ☒ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☒ post-conclusion voluntary departure under INA § 240B(b) was ☒ granted, and Respondent is ordered to depart by 06/15/2026. The respondent must post a \$ 500.00 bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to Mexico taking effect immediately.
- ☒ The respondent is subject to the following conditions to ensure his or her timely departure from the United States:
- Under Safeguards
- ☐ Further information regarding voluntary departure has been added to the record.
- ☐ Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set

- ☐ the presumptive civil monetary penalty amount of \$3,000.00 USD
- ☐ \$ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of 10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of

the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

IV. Removal

- ☐ Respondent was ordered removed to
- ☐ In the alternative, Respondent was ordered removed to
- ☐ Respondent was advised of the penalties for failure to depart pursuant to the removal order:

If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

V. Other

- ☐ Proceedings were ☐ dismissed ☐ terminated with prejudice
☐ terminated without prejudice ☐ administratively closed.
☐ Respondent's status was rescinded under INA § 246.
☐ Other:

Jesus Ybarra

Immigration Judge: Ybarra, Jesus 05/14/2026

Appeal: Department of Homeland Security: ☒ waived ☐ reserved
Respondent: ☒ waived ☐ reserved

Appeal Due:

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : SAUCEDO LEMUS, MANUEL | A-Number :  

Riders:

Date: 05/14/2026 By: DIAZ, MARISA, Court Staff

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**PROPOSED ORDER GRANTING PETITIONER'S MOTION TO VOLUNTARILY
DISMISS HABEAS PETITION WITHOUT PREJUDICE**

Upon consideration of Petitioner Manuel Saucedo Lemus' Motion to Voluntarily Dismiss Habeas Petition Without Prejudice, it is hereby

ORDERED that the motion is GRANTED and his petition is hereby dismissed without prejudice.

It is so ORDERED.

Dated this ____ day of ____ 2026.

Honorable Diana Song Quiroga
United States Magistrate Judge