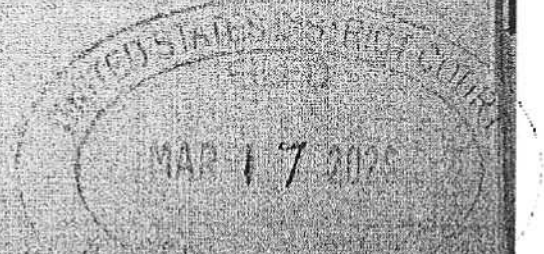


26 CV 6306

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORKEMERGENCY MOTION TO PREVENT TRANSFER OF DETAINEE
PENDING HABEAS CORPUS PROCEEDINGS

Petitioner (Next Friend): Liliana del Rocio Caraguay Solórzano

Detainee: Freddy Aucatoma Aldaz A-Number [REDACTED]

Current Place of Detention: Broome County Correctional Facility, Binghamton, New York

Respondent: ICE Custodian / Department of Homeland Security

INTRODUCTION Petitioner, acting as Next Friend of the Detainee, respectfully moves this Honorable Court for an order preventing Immigration and Customs Enforcement (ICE) from transferring Freddy Aucatoma Aldaz from his current place of detention while his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 is pending. Any transfer at this stage would interfere with this Court's jurisdiction and cause irreparable harm.

BACKGROUND Mr. Aucatoma Aldaz is detained under ICE custody while challenging the legality of his detention through a pending habeas corpus action. He has a pending asylum application, no criminal history, strong family ties in this District, and documented medical conditions stemming from a serious work-related head injury requiring neurosurgical intervention.

LEGAL BASIS Federal courts have authority to preserve jurisdiction and prevent actions that would frustrate judicial review. A transfer would undermine access to the Court, interfere with evidence and family contact, and risk rendering the habeas action ineffective.

IRREPARABLE HARM Transfer would disrupt ongoing federal litigation, medical follow-up, family support, and access to the Court. These harms cannot be remedied after the fact and warrant immediate relief.

RELIEF REQUESTED Petitioner respectfully requests an Order directing Respondents to refrain from transferring Freddy Aucatoma Aldaz from his current place of detention until final resolution of the pending habeas corpus proceedings, and for such other relief as the Court deems just and proper.

Respectfully submitted,


Liliana del Rocio Caraguay Solórzano
Next Friend of Freddy Aucatoma Aldaz
Date: 03-02-2026

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AFFIDAVIT OF NEXT FRIEND

I, Lilliana del Rocio Caraguay Solórzano, being duly sworn, hereby declare under penalty of perjury as follows:

1. I am an adult female, a citizen of Ecuador, and the lawful wife of Freddy Aucatoma Aldaz, who is currently detained under the custody of U.S. Immigration and Customs Enforcement (ICE).
2. I submit this Affidavit as the Next Friend of my husband in support of his Petition for Writ of Habeas Corpus and related motions currently pending before this Court.
3. My husband has a pending asylum application and has never been convicted of any crime. He is a person of good moral character, peaceful conduct, and has always complied with the laws of the United States.
4. My husband suffered a serious work-related accident in which he sustained a penetrating head injury caused accidentally by a nail gun. He required emergency hospitalization and neurosurgical intervention. His medical condition requires continued care and family support.
5. His continued detention has caused severe emotional, physical, and financial hardship to our family. I am deeply concerned for his health and well-being while he remains detained.
6. My husband does not pose a danger to the community, is not a flight risk, and has strong family and community ties. I am willing and able to support him and ensure his compliance with any conditions imposed by the Court or ICE.
7. I respectfully request that the Court consider this Affidavit in support of my husband's release from custody while his habeas corpus proceedings are pending.

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

Executed on this 02 day of March, 2026.


Lilliana del Rocio Caraguay Solórzano
Next Friend of Freddy Aucatoma Aldaz