

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

Jareth Nahun Ponce Avila
Petitioner,

V.

Markwayne Mullin
Secretary, U.S. Department of
Homeland Security

Respondents.

No. 6:26-cv-00285-ADA-
DNM

ADVISORY ON ICWC CLASS MEMBERSHIP

Petitioner hereby notifies the Court that he is a member of the *ICWC v Noem* Class Action. On May 20, 2026, the Central District of California issued an order that preliminarily certified three nationwide classes of immigrant survivors of violence and granted significant portions of the plaintiffs' request for a preliminary injunction against policies implemented by DHS, ICE, and USCIS. (*See Ex 1 ICWC v Noem* 2:25-cv-09848-AB-AS (C.D. Cal. May 20, 2026)(Dkt. 57)) The lawsuit, filed by the Center for Human Rights and Constitutional Law, Public Counsel, La Raza Centro Legal (LRCL), the Coalition for Humane Immigrant Rights (CHIRLA), Immigration Center for Women and Children (ICWC), and California Collaborative for

Immigrant Justice (CCIJ) challenged new policies that target survivors with pending applications for humanitarian protections including U visas, T visas, and others under the Violence Against Women Act (VAWA). Congress created these legal protections for immigrant survivors decades ago. The Petitioner is one of these individuals. (*Ex. 2 U Visa Receipts*) The court preliminarily certified three nationwide classes protecting:

- 1) Survivors with pending U visa, T visa, or VAWA self-petitions who were detained by Immigration and Customs Enforcement (ICE) or ICE sought to detain;
- 2) Survivors granted deferred action based on pending U or T visa petitions who were detained by ICE or removed without notice or a hearing; and
- 3) Survivors with pending U or T visa petitions who requested stays of removal before ICE enforced removal orders.

The Petitioner has a pending U visa filed with USCIS and is covered under group one. (*Ex. 2*) In its ruling the court temporarily blocked ICE from detaining plaintiffs and class members. With the injunction in place and the Petitioner squarely falling into group one we respectfully notify the Court of the Class Action and request the court:

- 1) Find the Petitioner is a Class Member and
- 2) Pursuant to the class action order his release

Respectfully submitted,

June 5, 2026

/s/Varsha Shirhatti
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CERTIFICATE OF SERVICE

I certify that on June 5, 2026, the foregoing pleading was filed with the court through the court cm/ecf system on all parties and counsel registered with the court cm/ecf system.

/s/Varsha Shirhatti
Varsha Shirhatti
Attorney for Petitioner