

Molly E. Danahy  
Andres Haladay  
Caitlin M. Cocilova  
Upper Seven Law  
P.O. Box 31  
Helena, MT 59624  
(406) 998-6067  
molly@uppersevenlaw.com  
andres@uppersevenlaw.com  
caitlin@uppersevenlaw.com

*Attorneys for Petitioners*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA**

ADRIÁN ESPINOZA DE LA CRUZ  
and A-E-V, a minor,

*Petitioners,*

v.

ZACHARY CROSSON, Chief Patrol  
Agent of the Havre Sector, U.S.  
Customs and Board Patrol; MICHAEL  
BERNACKE, Utah Field Office  
Director, Enforcement and Removal  
Operations, United States  
Immigration and Customs  
Enforcement; DAVID VENTURELLA,  
Acting Director, United States  
Immigration and Customs  
Enforcement; MARKWAYNE  
MULLIN, Secretary, United States  
Department of Homeland Security;  
TODD BLANCHE, Acting Attorney  
General of the United States, *in their  
official capacities,*

*Respondents.*

Civil Action No. CV-26-289-GF-BMM

**MOTION FOR ORDER TO SHOW  
CAUSE**

1. Pursuant to 28 U.S.C. § 2243, Petitioners respectfully request that this Court “forthwith” issue an order directing Respondents to show cause for why the petition for writs of habeas corpus filed by Petitioners pursuant to 28 U.S.C. § 2241 should not be granted.

2. Petitioners challenge their detention as an unreasonable denial of due process under the Fifth Amendment and violation of the Immigration and Naturalization Act. Petitioners respectfully request that this Court grant them a Writ of Habeas Corpus and order Respondents to immediately release them from custody. *Id.*

3. The federal habeas corpus statute provides that “[a] court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.” 28 U.S.C. § 2243.

4. Section 2243 further provides that the writ or order to show cause “shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.”

5. Section 2243 further provides that the court shall hold a hearing on the writ or order to show cause “not more than five days after the return unless for good cause additional time is allowed.”

6. In addition, Section 2243 states that the court “shall summarily hear and determine the facts, dispose of the matter as law and justice require.”

7. Petitioners respectfully request that the Court set a show cause hearing for Petitioners Adrián Espinoza De La Cruz and his minor daughter A-E-V.

8. Giving Respondents additional time to respond is inappropriate in this case because Petitioners face irreparable harm due to continued detention without legal basis.

9. Petitioners also respectfully request that this Court enter an order preventing their removal from Montana while this petition is considered, to preserve this Court’s jurisdiction over their habeas claims.

Dated: August 18, 2026

Respectfully Submitted,

/s/ Andres Haladay

Andres Haladay

Molly E. Danahy

Caitlin M. Cocilova

*Attorneys for Petitioners*