

**U.S. District Court
SOUTHERN DISTRICT OF TEXAS (Laredo)
CIVIL DOCKET FOR CASE #: 5:20-cv-00054**

Olvera Amezcua et al v. Garcia et al
Assigned to: Judge Marina Garcia Marmolejo
Referred to: Magistrate Judge John A Kazen
Related Case: [1:20-cv-00076](#)
Cause: 8:1105(a) Aliens: Habeas Corpus to Release
INS Det

Date Filed: 04/15/2020
Jury Demand: None
Nature of Suit: 463 Habeas Corpus -
Alien Detainee
Jurisdiction: U.S. Government
Defendant

Petitioner

Raul Garza Marroquin
TERMINATED: 05/13/2020

represented by **Carlos Moctezuma Garcia**
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Petitioner

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Petitioner

George Gonzalez

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V.

Respondent

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Respondent

Mario Garcia

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Respondent

Javier Aleman

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Respondent

Daniel Bible

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Respondent

Matthew T. Albence

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Respondent

Chad Wolf

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Respondent

**United States Immigration and
Customs Enforcement**

represented by **Ariel Nicole Wiley**
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Annalisa L. Cravens
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/15/2020	<u>1</u>	PETITION for Writ of Habeas Corpus (Filing fee \$ 5 receipt number 0541-24552727) filed by Giorge Gonzalez, Rafael Olvera Amezcua, Raul Garza Marroquin. (Attachments: # <u>1</u> Civil Cover Sheet)(McGraw, Peter) (Entered: 04/15/2020)
04/16/2020	<u>2</u>	MOTION for Daniel Hatoum to Appear Pro Hac Vice by Raul Garza Marroquin, Giorge Gonzalez, Rafael Olvera Amezcua, filed. Motion Docket Date 5/7/2020. (Perales, Nina) (Entered: 04/16/2020)
04/16/2020	<u>3</u>	MOTION for Fatima Menendez to Appear Pro Hac Vice by Raul Garza Marroquin, Giorge Gonzalez, Rafael Olvera Amezcua, filed. Motion Docket Date 5/7/2020. (Perales, Nina) (Entered: 04/16/2020)
04/16/2020	<u>4</u>	ORDER granting <u>2</u> Motion for Daniel Hatoum to Appear Pro Hac Vice. (Signed by Magistrate Judge John A Kazen) Parties notified. (JessicaGRodriguez, 5) (Main Document 4 replaced on 4/30/2020) (JessicaGRodriguez, 5). (Entered: 04/16/2020)
04/16/2020	<u>5</u>	ORDER granting <u>3</u> Motion for Fatima Menendez to Appear Pro Hac Vice. (Signed by Magistrate Judge John A Kazen) Parties notified. (JessicaGRodriguez, 5) (Main Document 5 replaced on 4/30/2020) (JessicaGRodriguez, 5). (Entered: 04/16/2020)
04/16/2020	<u>6</u>	ORDER. Respondents are ORDERED to file an answer or other appropriate responsive pleading no later than April 24, 2020. Petitioners may file a reply by April 27, 2020. (Signed by Judge Marina Garcia Marmolejo) Parties notified.(EricaLopez, 5) (Entered: 04/16/2020)
04/17/2020	<u>7</u>	Request for Issuance of Summons as to Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Attachments: # <u>1</u> Continuation, # <u>2</u> Continuation, # <u>3</u> Continuation, # <u>4</u> Continuation, # <u>5</u> Continuation, # <u>6</u> Continuation)(McGraw, Peter) (Entered: 04/17/2020)

04/20/2020	<u>8</u>	NOTICE of Appearance by Efren Carlos Olivares on behalf of Raul Garza Marroquin, filed. (Olivares, Efren) (Entered: 04/20/2020)
04/20/2020		Summons Issued as to Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf. Issued summons delivered to plaintiff by First-class mail, filed.(sgonzalez, 5) (Entered: 04/20/2020)
04/20/2020	<u>9</u>	NOTICE of Appearance by Andrew Udelsman on behalf of Raul Garza Marroquin, filed. (Udelsman, Andrew) (Entered: 04/20/2020)
04/21/2020	<u>10</u>	MOTION for Carolyn O'Connor to Appear Pro Hac ViceMotions referred to John A Kazen. by Raul Garza Marroquin, filed. Motion Docket Date 5/12/2020. (Olivares, Efren) (Entered: 04/21/2020)
04/21/2020	<u>11</u>	ORDER granting <u>10</u> Motion for Carolyn O'Connor to Appear Pro Hac Vice. (Signed by Magistrate Judge John A Kazen) Parties notified. (JessicaGRodriguez, 5) (Entered: 04/21/2020)
04/22/2020	<u>12</u>	Opposed MOTION for DiscoveryMotions referred to John A Kazen. by Raul Garza Marroquin, Giorge Gonzalez, Rafael Olvera Amezcua, filed. Motion Docket Date 5/13/2020. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit)(Garcia, Carlos) (Entered: 04/22/2020)
04/23/2020	<u>13</u>	Opposed MOTION to Sever Mr. Garza Marroquin and Transfer His Petition to the Brownsville DivisionMotions referred to John A Kazen. by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. Motion Docket Date 5/14/2020. (Attachments: # <u>1</u> Affidavit, # <u>2</u> Exhibit Notice to Appear, # <u>3</u> Proposed Order)(Cravens, Annalisa) (Entered: 04/23/2020)
04/24/2020	<u>14</u>	MOTION to Dismiss <u>1</u> Petition for Writ of Habeas Corpus <i>and Response to Gonzalez's and Olvera's Petitions for Immediate Injunctive Relief</i> Motions referred to John A Kazen. by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. Motion Docket Date 5/15/2020. (Attachments: # <u>1</u> Exhibit Exhibit 13 (unsealed), # <u>2</u> Exhibit Exhibit 14 (unsealed), # <u>3</u> Proposed Order)(Wiley, Ariel) (Entered: 04/24/2020)

04/24/2020	<u>15</u>	SEALED EXHIBITS <i>1 through 12</i> re: <u>14</u> MOTION to Dismiss <u>1</u> Petition for Writ of Habeas Corpus <i>and Response to Gonzalez's and Olvera's Petitions for Immediate Injunctive Relief</i> by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Attachments: # <u>1</u> Exhibit Ex. 1 Gonzalez Medical Records, # <u>2</u> Exhibit Ex. 2 Gonzalez Letter Dated 4-6-2020, # <u>3</u> Exhibit Ex. 3 Gonzalez Immigration Files, # <u>4</u> Affidavit Ex. 4 Cerna Declaration, # <u>5</u> Affidavit Ex. 5 Aleman Declaration, # <u>6</u> Exhibit Ex. 6 Olvera Webb County Medical Records, # <u>7</u> Exhibit Ex. 7 Olvera Pearsall Medical Records, # <u>8</u> Exhibit Ex. 8 Olvera Immigration Files, # <u>9</u> Affidavit Ex. 9 Cerna Declaration II, # <u>10</u> Affidavit Ex. 10 Warden Garcia Declaration and Attachments, Part I, # <u>11</u> Affidavit Ex. 10 Warden Garcia Declaration Attachments Part II, # <u>12</u> Affidavit Ex. 11 Dr. Ivens Declaration, # <u>13</u> Affidavit Ex. 12 Huron Declaration) (Wiley, Ariel) (Entered: 04/24/2020)
04/24/2020	<u>16</u>	MOTION to Dismiss <u>1</u> Petition for Writ of Habeas Corpus <i>and Response to Garza's Petition for Immediate Injunctive Relief</i> Motions referred to John A Kazen. by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. Motion Docket Date 5/15/2020. (Attachments: # <u>1</u> Exhibit Exhibit 6 (Unsealed), # <u>2</u> Exhibit Exhibit 7 (Unsealed), # <u>3</u> Proposed Order)(Wiley, Ariel) (Entered: 04/24/2020)
04/24/2020	<u>17</u>	SEALED EXHIBITS <i>1 through 5</i> re: <u>16</u> MOTION to Dismiss <u>1</u> Petition for Writ of Habeas Corpus <i>and Response to Garza's Petition for Immediate Injunctive Relief</i> by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Attachments: # <u>1</u> Exhibit Ex. 1 Garza A-File, # <u>2</u> Exhibit Ex. 2 Garza Criminal Records, # <u>3</u> Exhibit Ex. 3 Garza Medical Records, # <u>4</u> Affidavit Ex. 4 Dr. Cantu Declaration, # <u>5</u> Affidavit Ex. 5 Longoria Declaration) (Wiley, Ariel) (Entered: 04/24/2020)
04/25/2020	<u>18</u>	NOTICE of Appearance by Javier N. Maldonado on behalf of Rafael Olvera Amezcua, filed. (Maldonado, Javier) (Entered: 04/25/2020)
04/27/2020	<u>19</u>	Unopposed MOTION for Extension of Time TO FILE A RESPONSE TO THE GOVERNMENTS MOTION TO DISMISS Motions referred to John A Kazen. by Raul Garza

		Marroquin, Giorge Gonzalez, Rafael Olvera Amezcua, filed. Motion Docket Date 5/18/2020. (Attachments: # 1 Proposed Order)(Perales, Nina) (Entered: 04/27/2020)
04/27/2020	20	ORDER granting 19 Motion for Extension of Time. Petitioners may file a response to Respondents motion to dismiss by May 15, 2020. Respondents may file a reply by May 29, 2020..(Signed by Judge Marina Garcia Marmolejo) Parties notified.(EricaLopez, 5) (Entered: 04/27/2020)
04/27/2020	21	RESPONSE in Opposition to 13 Opposed MOTION to Sever Mr. Garza Marroquin and Transfer His Petition to the Brownsville Division, filed by Raul Garza Marroquin, Giorge Gonzalez, Rafael Olvera Amezcua. (Attachments: # 1 Proposed Order)(Olivares, Efren) (Entered: 04/27/2020)
04/27/2020	22	NOTICE of Supplemental Declaration by Robert L. Cerna by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Attachments: # 1 Affidavit Supplemental Declaration by Robert L. Cerna)(Cravens, Annalisa) (Entered: 04/27/2020)
05/05/2020	23	NOTICE of Appearance by Rebecca Sheff on behalf of Giorge Gonzalez, filed. (McGraw, Peter) (Entered: 05/05/2020)
05/13/2020	24	RESPONSE in Opposition to 12 Opposed MOTION for Discovery, filed by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf. (Attachments: # 1 Proposed Order)(Wiley, Ariel) (Entered: 05/13/2020)
05/13/2020	25	ORDER granting 13 Motion to Sever. Petitioner Raul Garza Marroquin's case is TRANSFERRED to the Brownsville Division of the Southern District of Texas. Petitioner's Amezcua and Gonzalez's claims remain pending in this Court..(Signed by Judge Marina Garcia Marmolejo) Parties notified.(sgonzalez, 5) (Entered: 05/13/2020)
05/15/2020	26	Unopposed MOTION for Leave to File Excess PagesMotions referred to John A Kazen. by Giorge Gonzalez, Rafael Olvera Amezcua, filed. Motion Docket Date 6/5/2020. (Attachments: # 1 Proposed Order)(McGraw, Peter) (Entered: 05/15/2020)

05/15/2020	<u>27</u>	RESPONSE in Opposition to <u>14</u> MOTION to Dismiss <u>1</u> Petition for Writ of Habeas Corpus <i>and Response to Gonzalez's and Olvera's Petitions for Immediate Injunctive Relief</i> , filed by George Gonzalez, Rafael Olvera Amezcua. (Attachments: # <u>1</u> Proposed Order)(McGraw, Peter) (Entered: 05/15/2020)
05/15/2020	<u>28</u>	SEALED EXHIBITS re: <u>27</u> Response in Opposition to Motion, by George Gonzalez, Rafael Olvera Amezcua, filed. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C, # <u>3</u> Exhibit D) (McGraw, Peter) (Attachment 1 replaced on 5/21/2020) (JessicaGRodriguez, 5). (Entered: 05/15/2020)
05/17/2020	<u>29</u>	ORDER granting <u>26</u> Motion for Leave to File Excess Pages.(Signed by Judge Marina Garcia Marmolejo) Parties notified.(EricaLopez, 5) (Entered: 05/17/2020)
05/29/2020	<u>30</u>	REPLY in Support of <u>14</u> MOTION to Dismiss <u>1</u> Petition for Writ of Habeas Corpus <i>and Response to Gonzalez's and Olvera's Petitions for Immediate Injunctive Relief</i> , filed by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Wiley, Ariel) (Entered: 05/29/2020)
06/09/2020	<u>31</u>	NOTICE of Supplemental Authority by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Attachments: # <u>1</u> Exhibit 1)(Wiley, Ariel) (Entered: 06/09/2020)
06/23/2020	<u>32</u>	Other EXHIBITS re: <u>27</u> Response in Opposition to Motion, by Rafael Olvera Amezcua. Attached documents may be viewed in the Office of the Clerk., filed.(Perales, Nina) (Entered: 06/23/2020)
06/23/2020	<u>33</u>	NOTICE of Filing of Corrected Exhibit to Petitioner's Response in Opposition to Respondent's Motion to Dismiss by Rafael Olvera Amezcua, filed. (Perales, Nina) (Entered: 06/23/2020)
06/23/2020	<u>34</u>	Unopposed MOTION to Amend Motions referred to John A Kazen. by Rafael Olvera Amezcua, filed. Motion Docket Date 7/14/2020. (Attachments: # <u>1</u> Proposed Order)(Perales, Nina) (Entered: 06/23/2020)

06/23/2020	<u>35</u>	ORDER granting <u>34</u> Motion to Amend the Case Caption. (Signed by Judge Marina Garcia Marmolejo) Parties notified.(dmorales, 5) (Entered: 06/24/2020)
07/08/2020	<u>36</u>	NOTICE of Supplemental Authorities by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Wiley, Ariel) (Entered: 07/08/2020)
07/21/2020	<u>37</u>	NOTICE of Plaintiff Gonzalez's Duplicative Case Filing in 5:20-cv-119 by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Cravens, Annalisa) (Entered: 07/21/2020)
07/21/2020	<u>38</u>	RESPONSE to <u>37</u> Notice (Other), of Duplicative Filing, filed by George Gonzalez. (McGraw, Peter) (Entered: 07/21/2020)
07/24/2020	<u>39</u>	NOTICE OF SUPPLEMENTAL AUTHORITY by Rafael Olvera Amezcua, filed. (Perales, Nina) (Entered: 07/24/2020)
07/31/2020	<u>40</u>	Opposed MOTION for Temporary Restraining OrderMotions referred to John A Kazen. by George Gonzalez, filed. Motion Docket Date 8/21/2020. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Proposed Order)(McGraw, Peter) (Entered: 07/31/2020)
08/11/2020	<u>41</u>	Unopposed MOTION for Leave to File Supplemental ExhibitMotions referred to John A Kazen. by George Gonzalez, filed. Motion Docket Date 9/1/2020. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Proposed Order)(McGraw, Peter) (Entered: 08/11/2020)
08/13/2020	<u>42</u>	RESPONSE in Opposition to <u>40</u> Opposed MOTION for Temporary Restraining Order, filed by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Proposed Order)(Wiley, Ariel) (Entered: 08/13/2020)
08/17/2020	<u>43</u>	REPLY to <u>42</u> Response in Opposition to Motion, for Temporary Restraining Order and Preliminary Injunction, filed by George Gonzalez. (McGraw, Peter) (Entered: 08/17/2020)
12/24/2020	<u>44</u>	STIPULATION of Dismissal by George Gonzalez, filed.(McGraw, Peter) (Entered: 12/24/2020)

02/03/2021	45	NOTICE of Binding Authority by Matthew T. Albence, Javier Aleman, Daniel Bible, Mario Garcia, Jose Garcia Longoria, Jr, United States Immigration and Customs Enforcement, Chad Wolf, filed. (Attachments: # 1 Exhibit 1)(Wiley, Ariel) (Entered: 02/03/2021)
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