

**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**
Garcia & Garcia Attorneys at Law
P.O. Box 4545
McAllen, TX 78502
956-630-3889
Fax: 956-630-3899
Email:
cgarcia@garciagarcialaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew George Udelsman
Texas Civil Rights Project
1017 W Hackberry Ave
Alamo, TX 78516
512-474-5073
Email:
andy@texascivilrightsproject.org
ATTORNEY TO BE NOTICED

Carolyn O'Connor
Texas Civil Rigts Project (TCRP)
1017 W. Hackberry Ave.
Alamo, TX 78516
609-240-1928
Email:
carrie@texascivilrightsproject.org
PRO HAC VICE
ATTORNEY TO BE NOTICED

Daniel Ali Hatoum
Mexican American Legal Defense
and Educational Fund (MALDEF)
110 Broadway
Suite 300
San Antonio, TX 78205
210-224-5476
Email: dhatoum@maldef.org
ATTORNEY TO BE NOTICED

Efren Carlos Olivares
South Texas Civil Rights Project
1017 W. Hackberry Ave.
Alamo, TX 78516
956-212-4963
Fax: 956-787-6348
Email: efren.olivares@splcenter.org
ATTORNEY TO BE NOTICED

Fatima Menendez
Mexican American Legal Defense
and Educational Fund (MALDEF)
110 Broadway
Suite 300
San Antonio, TX 78205
210-224-5476
Email: fmenendez@maldef.org
ATTORNEY TO BE NOTICED

Nina Perales
MALDEF
110 Broadway
Ste 300
San Antonio, TX 78205
210-224-5476
Fax: 210-224-5382
Email: nperales@maldef.org
ATTORNEY TO BE NOTICED

Petitioner

Rafael Olvera Amezcua

represented by **Javier N Maldonado**
Attorney at Law
8620 N. New Braunfels
Ste. 605
San Antonio, TX 78217
210-277-1603

Fax: 210-587-4001
Email: jmaldonado.law@gmail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Carlos Moctezuma Garcia
(See above for address)
ATTORNEY TO BE NOTICED

Daniel Ali Hatoum
(See above for address)
ATTORNEY TO BE NOTICED

Efren Carlos Olivares
(See above for address)
ATTORNEY TO BE NOTICED

Fatima Menendez
(See above for address)
ATTORNEY TO BE NOTICED

Nina Perales
(See above for address)
ATTORNEY TO BE NOTICED

Petitioner

George Gonzalez

represented by **Carlos Moctezuma Garcia**
(See above for address)
ATTORNEY TO BE NOTICED

Daniel Ali Hatoum
(See above for address)
ATTORNEY TO BE NOTICED

Efren Carlos Olivares
(See above for address)
ATTORNEY TO BE NOTICED

Fatima Menendez
(See above for address)
ATTORNEY TO BE NOTICED

Nina Perales
(See above for address)
ATTORNEY TO BE NOTICED

Peter Eammon McGraw
TX Rio Grande Legal Aide Inc
316 South Closner Blvd
Edinburg, TX 78539
956-393-6230
Email: pmcgraw@trla.org
ATTORNEY TO BE NOTICED

V.

Respondent

Jose Garcia Longoria , Jr.

represented by **Ariel Nicole Wiley**
US Attorney's Office
1000 Louisiana Street
#2300
Houston, TX 77002
713-567-9344
Email: ariel.wiley@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
United States Attorney's Office
1000 Louisiana Street
Suite 2300
Houston, TX 77002
713-567-9489
Fax: 713-718-3303
Email:
Annalisa.Cravens@usdoj.gov
ATTORNEY TO BE NOTICED

Respondent

Mario Garcia

represented by **Ariel Nicole Wiley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Javier Aleman

represented by **Ariel Nicole Wiley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Daniel Bible

represented by **Ariel Nicole Wiley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Matthew T. Albence

represented by **Ariel Nicole Wiley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

Chad Wolf

represented by **Ariel Nicole Wiley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
(See above for address)
ATTORNEY TO BE NOTICED

Respondent

**United States Immigration and
Customs Enforcement**

represented by **Ariel Nicole Wiley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Annalisa L. Cravens
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/15/2020	1	PETITION for Writ of Habeas Corpus (Filing fee \$ 5 receipt number 0541-24552727) filed by Giorge Gonzalez, Rafael Olvera Amezcua, Raul Garza Marroquin. (Attachments: # 1 Civil Cover Sheet)(McGraw, Peter) (Entered: 04/15/2020)
04/16/2020	2	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	3	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	4	ORDER granting 2 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	5	ORDER granting 3 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	6	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	7	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: # 1 Continuation, # 2 Continuation, # 3 Continuation, # 4 Continuation, # 5 Continuation, # 6 Continuation)(McGraw, Peter) (Entered: 04/17/2020)

04/20/2020	8	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	9	NOTICE of Appearance by Andrew Udelsman on behalf of Raul Garza Marroquin, filed. (Udelsman, Andrew) (Entered: 04/20/2020)
04/21/2020	10	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	11	ORDER granting 10 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	12	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: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Exhibit)(Garcia, Carlos) (Entered: 04/22/2020)
04/23/2020	13	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: # 1 Affidavit, # 2 Exhibit Notice to Appear, # 3 Proposed Order)(Cravens, Annalisa) (Entered: 04/23/2020)
04/24/2020	14	MOTION to Dismiss 1 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: # 1 Exhibit Exhibit 13 (unsealed), # 2 Exhibit Exhibit 14 (unsealed), # 3 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	27	RESPONSE in Opposition to 14 MOTION to Dismiss 1 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: # 1 Proposed Order)(McGraw, Peter) (Entered: 05/15/2020)
05/15/2020	28	SEALED EXHIBITS re: 27 Response in Opposition to Motion, by George Gonzalez, Rafael Olvera Amezcua, filed. (Attachments: # 1 Exhibit B, # 2 Exhibit C, # 3 Exhibit D) (McGraw, Peter) (Attachment 1 replaced on 5/21/2020) (JessicaGRodriguez, 5). (Entered: 05/15/2020)
05/17/2020	29	ORDER granting 26 Motion for Leave to File Excess Pages.(Signed by Judge Marina Garcia Marmolejo) Parties notified.(EricaLopez, 5) (Entered: 05/17/2020)
05/29/2020	30	REPLY in Support of 14 MOTION to Dismiss 1 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: # 1 Exhibit 1, # 2 Exhibit 2)(Wiley, Ariel) (Entered: 05/29/2020)
06/09/2020	31	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: # 1 Exhibit 1)(Wiley, Ariel) (Entered: 06/09/2020)
06/23/2020	32	Other EXHIBITS re: 27 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	33	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	34	Unopposed MOTION to Amend Motions referred to John A Kazen. by Rafael Olvera Amezcua, filed. Motion Docket Date 7/14/2020. (Attachments: # 1 Proposed Order)(Perales, Nina) (Entered: 06/23/2020)

06/23/2020	35	ORDER granting 34 Motion to Amend the Case Caption. (Signed by Judge Marina Garcia Marmolejo) Parties notified.(dmorales, 5) (Entered: 06/24/2020)
07/08/2020	36	NOTICE of <i>Supplemental Authorities</i> 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	37	NOTICE of <i>Plaintiff Gonzalez's Duplicative Case Filing in 5:20-cv-119</i> 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	38	RESPONSE to 37 Notice (Other), of <i>Duplicative Filing</i> , filed by George Gonzalez. (McGraw, Peter) (Entered: 07/21/2020)
07/24/2020	39	NOTICE OF SUPPLEMENTAL AUTHORITY by Rafael Olvera Amezcua, filed. (Perales, Nina) (Entered: 07/24/2020)
07/31/2020	40	Opposed MOTION for Temporary Restraining OrderMotions referred to John A Kazen. by George Gonzalez, filed. Motion Docket Date 8/21/2020. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Proposed Order)(McGraw, Peter) (Entered: 07/31/2020)
08/11/2020	41	Unopposed MOTION for Leave to File Supplemental ExhibitMotions referred to John A Kazen. by George Gonzalez, filed. Motion Docket Date 9/1/2020. (Attachments: # 1 Exhibit 1, # 2 Proposed Order)(McGraw, Peter) (Entered: 08/11/2020)
08/13/2020	42	RESPONSE in Opposition to 40 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: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Proposed Order)(Wiley, Ariel) (Entered: 08/13/2020)
08/17/2020	43	REPLY to 42 Response in Opposition to Motion, for <i>Temporary Restraining Order and Preliminary Injunction</i> , filed by George Gonzalez. (McGraw, Peter) (Entered: 08/17/2020)
12/24/2020	44	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)
------------	--------------------	---

PACER Service Center			
Transaction Receipt			
02/04/2021 14:35:03			
PACER Login:	CRClearinghouse:2563377:0	Client Code:	Peach
Description:	Docket Report	Search Criteria:	5:20-cv-00054
Billable Pages:	8	Cost:	0.80