

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**JOSUE ABNER GONZALEZ
GARCIA,**

Petitioner,

v.

MARY DE ANDA-YBARRA et al.,

Respondents.

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CAUSE NO. EP-26-CV-156-KC

**SHOW CAUSE ORDER & PREVENTING PETITIONER’S REMOVAL FROM THE
COUNTRY & DISTRICT**

On this day, the Court considered Josue Abner Gonzalez Garcia’s Petition for a Writ of Habeas Corpus, ECF No. 1. Gonzalez Garcia is detained at the ERO El Paso Camp East Montana facility in El Paso, Texas. *Id.* ¶ 3. He argues that his detention is unlawful and asks the Court to order his release or a bond hearing. *Id.* ¶¶ 6, 68–106. He also asks that Respondents be prevented from moving him out of the District. *Id.* at 28.

Gonzalez Garcia has been in the country for about twenty-six years and was detained by immigration authorities for the first time on January 24, 2026, in Minnesota. *Id.* ¶¶ 1–2. As alleged, his case appears materially indistinguishable from several others in which this Court has found a procedural due process violation. *See, e.g., Martinez v. Noem*, No. 3:25-cv-430-KC, 2025 WL 2965859, at *1–5 (W.D. Tex. Oct. 21, 2025). Of course, Respondents are nevertheless permitted to state their position before a ruling. In doing so, Respondents are encouraged to avoid boilerplate arguments that this Court has already rejected. Absent new authority, they may assume that the Court’s position on the law has not changed and explain whether the facts of Gonzalez Garcia’s case warrant a different outcome.

Accordingly, Respondents are **ORDERED** to **SHOW CAUSE** by **no later than February 2, 2026**, why the application for a writ of habeas corpus should not be granted. *See Lopez-Arevelo v. Ripa*, No. 3:25-cv-337-KC, 2025 WL 3254930, at *2 & n.1 (W.D. Tex. Aug. 26, 2025). The Court will set this matter for a hearing and order additional briefing deadlines, if necessary, upon review of the show cause response.

IT IS FURTHER ORDERED, under the Court’s inherent authority to preserve and assess its own jurisdiction, that Respondents **SHALL NOT** (1) remove or deport Gonzalez Garcia from the United States, or (2) transfer Gonzalez Garcia to any facility outside the boundaries of the El Paso Division of the Western District of Texas, until the Court orders otherwise or this case is closed. *See Alves v. U.S. Dep’t of Just.*, No. 3-25-cv-306-KC, 2025 WL 2629763, at *5 (W.D. Tex. Sept. 12, 2025).

IT IS FURTHER ORDERED that to the extent Respondents have not been served, the Clerk of the Court shall **SERVE** copies of the Petition and this Order upon Respondents through their counsel. *See Habeas Rule 4* (“[T]he clerk must serve a copy of the petition and any order on the respondent[s] . . .”).

SO ORDERED.

SIGNED this 26th day of January, 2026.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE