

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

MELVIN ELISANDRO ESCOBAR-  
ARAUZ,  
Petitioner,

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EP-25-CV-00619-DB

v.

KRISTI NOEM, *Secretary, U.S.  
Department of Homeland Security, et al.*,  
Respondents.

**ORDER**

On this day, the Court considered the above-captioned case. On December 4, 2025, Petitioner Melvin Elisandro Escobar-Arauz filed a “Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief,” ECF No. 1. In his Petition, Petitioner asks this Court to “(1) Assume jurisdiction over this matter; (2) Order that Petitioner not be transferred outside of this District; (3) Issue an Order to Show Cause ordering Respondents to show cause why his Petition should not be granted within three days; (4) Declare that Petitioner’s detention is unlawful; (5) Issue a Writ of Habeas Corpus ordering Respondents to release him from custody or provide him with a bond hearing pursuant to 8 U.S.C. § 1226(a) or the Due Process Clause within seven days before an Immigration Judge, at which the Government shall bear the burden of justifying, by clear and convincing evidence of dangerousness or flight risk, Petitioner’s continued detention; and (6) Grant him any further relief this Court deems just and proper.” *Id.* at 13. On December 10, 2025, the Court issued its “Memorandum Opinion and Order,” ECF No. 5, wherein following orders issued:

IT IS HEREBY ORDERED that Petitioner Melvin Elisandro Escobar-Arauz’s “Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief,” ECF No. 1, is GRANTED

IN PART. IT IS FURTHER ORDERED Respondents SHALL PROVIDE Petitioner with a bond hearing before an immigration judge no later than December 12, 2025 at which the government shall bear the burden of justifying, by clear and convincing evidence, the dangerousness or flight risk for Petitioner's continued detention; or (2) release Petitioner from custody, under reasonable conditions of supervision, during the pendency of their removal proceedings. IT IS FURTHER ORDERED Respondents SHALL FILE an advisory informing the Court when the bond hearing will be held in accordance with the preceding order no later than December 11, 2025. IT IS FINALLY ORDERED Respondents SHALL FILE an advisory informing the Court, in detail, of the reasons for the IJ's bond hearing decision no later than December 16, 2025.

ECF No. 7 at 11. On December 16, 2025, Respondents filed a "Respondents Advisory to the Court regarding Bond Hearing," ECF No. 9, advising a bond hearing was held on December 12, 2025, and the immigration judge granted a \$2,500 bond that has not been posted yet. ECF No. 9 at 1.

Accordingly, **IT IS HEREBY ORDERED** the parties **SHALL CONFER AND FILE** a notice informing the Court whether any matters remain to be resolved in this case by **no later than December 23, 2025.**

**SIGNED** this 17th day of **December 2025.**

  
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**THE HONORABLE DAVID BRIONES**  
**SENIOR UNITED STATES DISTRICT JUDGE**