UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

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Maryury Adela Lopez Galvez Docket No.**25-cv-03229**

Petitioner,

v.

Kristy Noem, Head of the Department of Homeland Security; Troy Edgar, Deputy Secretary of U.S. Immigration and Customs Enforcement; Todd Lyon, Acting Director of U.S. Immigration and Customs Enforcement; Derek Gordon, Executive Associate Director of U.S. Immigration and Customs Enforcement. Initials: _____

Respondents.

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Petitioner's Motion for a Stay of Removal Pendente Lite

Petitioner, Maryury Adela Lopez Galvez, and an attorney, Michael J. Meehan appeared for her scheduled appointment at a local ISAP office in Syosset, NY. There they were told that Ms. Lopez Galvez had to purchase a plane ticket for a flight to depart from the United States by July 1, 2025. She was also given a future virtual check-in on September 5, 2025, to presumably to confirm her actual departure from the United States.

On November 5, 2024, we received a letter from the New York Asylum Office in Bethpage, NY confirming they received our correspondence which was the Petitioner's application for withholding of removal, as per the Alfaro-Garcia class action. However, CIS reports they are currently not scheduling Reasonable Fear cases and that once they resumed rescheduling Petitioner would be notified by mail. Up until today's date we have not received an interview date.

According to Alfaro Garcia v. Johnson , 14-cv-1775-YGR (N.D CA 2015), despite Petitioner having a prior order of removal , she should still have a right to an interview or present her case to Immigration as a valid claim. Ms. Lopez

Galvez fled Honduras due to gender-based violence, intra familial violence and [redacted]

WHEREFORE

Due to these circumstances, we respectfully request that Ms. Lopez Galvez be given due process and the opportunity to present her credible fear to the Asylum Office and therefore that this motion for a stay of removal be granted.

Respectfully Submitted,

June 24, 2025

Bruno J. Bembi, Esq.
Attorney for Ms. Lopez Galvez

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Attorney Affirmation in Support of
Petitioner's Motion for a Stay of Removal Pendente Lite

I, Bruno J Bembi, attorney at law, affirm:

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