

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**HECTOR LOPEZ ESCOBAR,
PETITIONER,**

V.

**KRISTI NOEM, ET. AL.
RESPONDENTS.**

NO. 3:26-CV-00013-KC

FEDERAL RESPONDENT'S RESPONSE TO SHOW CAUSE ORDER ECF DOC NO. 7

Federal Respondents submit this response to the Court's Order to Show Cause regarding the status of Petitioner's bond and custody.

The Court ordered for the Petitioner to have a bond hearing. ECF Doc. No. 4. At that bond hearing the Petitioner was granted a bond of \$5,000. ECF Doc. No. 5-1. That condition has not yet been satisfied. On January 29, 2026, the potential obligor, Kimberly Lopez, appeared and attempted to post bond using a disbursement check. That form of payment could not be accepted because it was a check payable from a private or public fund, which does not meet the bond payment requirements. The acceptable form of payment is a cashier's check in the amount of \$5,000.

Ms. Lopez was advised of the proper form of payment and indicated that she would correct the payment. As of the date of this response, the bond has not been paid in the required format, and Petitioner therefore remains in custody.

Petitioner has not been released solely because the bond condition ordered by the immigration judge has not yet been fulfilled. Respondent stands ready to process Petitioner's release upon receipt of the bond in the proper form.

Because the Order of the Immigration Judge was expressly conditioned on payment of bond, and because that condition remains unsatisfied, Respondent respectfully submits that immediate release is not warranted at this time.

Dated: January 30, 2026

Respectfully submitted,

Justin R. Simmons
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