

United States District Court
Western District of Texas
Austin Division

Emerardo Magana-Garcia,

Petitioner,

v.

No. 1:26-cv-0051-ADA-DH

Pamela Jo Bondi, United States Attorney
General in her official capacity, *et. al.*,

Respondents.

Respondents' Unopposed Motion to Appear Remotely

Respondents, by and through undersigned counsel, move this Court to grant their counsel's Unopposed Motion to Appear Remotely for the Hearing scheduled for January 28, 2026. In support of this motion, Respondents state the following:

1. The undersigned Assistant United States Attorney ("AUSA") is duty-stationed in the main office of the U.S. Attorney's Office ("USAO") for the Western District of Texas ("WDTX"), located in San Antonio, Texas, and is one of seven attorneys directly handling the entirety of the civil immigration docket districtwide.

2. A remote appearance by the undersigned AUSA would not prejudice Petitioner, represented by counsel, who has stated a non-opposition to this motion.

3. The undersigned is available to call in for the hearing at the scheduled date and time using the Court's preferred method for remote appearances. The undersigned has participated in numerous telephonic and remote hearings without incident. To the extent any evidence needs to be filed with the Court ahead of the hearing or any witness needs to be presented for testimony, the undersigned will work with the Court staff to coordinate these logistics.

Conclusion

Respondents respectfully request that the Court enter the attached proposed order granting this motion for their counsel to appear remotely for the hearing scheduled January 28, 2026, at 1:00 P.M. CST.

Respectfully submitted,

Justin R. Simmons
United States Attorney

/s/ Fidel Esparza III
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Attorneys for Respondents

Certificate of Conference

I certify that on January 23, 2026, I emailed Petitioner's counsel Ms. Ashley Morris, to request a position on this motion. Petitioner's counsel is unopposed to the undersigned AUSA appearing remotely for this hearing.

/s/ Fidel Esparza III
Fidel Esparza III
Assistant United States Attorney