

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

ERIK JAHIR GONZALES CAMBAR,

Petitioner,

v.

PAMELA BONDI, *et al.*

Respondents.

Case No. SA-26-CV-210-OLG

MOTION FOR ORDER TO SHOW CAUSE

Petitioner, Erik Gonzales Cambar, by and through under-signed counsel, submits this Request for Order to Show Cause why the Respondents found Petitioner to be a flight risk. In support of the motion, the Petitioner, through undersigned counsel, states:

1. On January 28, 2026, this Court granted the Petition for Writ of Habeas Corpus. *See* PACER electronic docket, *Gonzales Cambar v. Bondi*, No. SA-26-cv-210, docket entry 7. The Order granting the petition directed the Respondents to provide Petitioner within a bond hearing pursuant to 8 U.S.C. § 1226(a) within fourteen days.
2. The Respondents scheduled a bond hearing before Immigration Judge Justin Adams at the Pearsall (Texas) Immigration Court on February 4, 2026, pursuant to this Court's Order.
3. The Petitioner appeared via Webex and was represented by counsel. In support of his request for bond, the Petitioner submitted over 100 pages of supporting documents addressing the legally relevant factors in the determination of bond under 8 U.S.C. §

1226(a) and related BIA case law.

4. The evidence in support of his request for bond included the fact that United States Citizenship and Immigration Services granted Petitioner special immigrant juvenile status. *See* 8 U.S.C. § 1101(a)(27). This status makes Petitioner eligible to become a lawful permanent resident as soon as a visa becomes available.
5. In addition, the Petitioner provided evidence that he: (i) lives with his mother at a fixed address in Baltimore, Maryland, and (ii) that he is a student at a Baltimore high school. He also submitted letters of support from family and friends. There is no evidence of any criminal conduct or that Petitioner ever missed an immigration court hearing date. The Department of Homeland Security submitted evidence alleging that Petitioner was part of a group of people present at a Home Depot parking lot when immigration officers conducted a raid and the petitioner attempted to flee. Petitioner's counsel explained to the immigration judge that Petitioner is eighteen years old and was frightened.
6. In assessing this record, an immigration judge denied Petitioner's bond request on February 4, 2026, because he concluded, "The respondent is a significant flight risk and no bond amount will ensure his appearance at future hearings." He described the relief – lawful permanent resident status -- as "speculative" even though Petitioner had nothing left to do but wait for a visa to become available.
7. On this record, the immigration judge wholly failed to discharge his obligations as a neutral and impartial adjudicator.
8. In *Matter of Guerra*, 24 I. & N. Dec. 37 (BIA 2006), the Board of Immigration Appeals articulated the factors an immigration judge is to consider when conducting a

§ 1226(a) bond hearing. These factors include: (i) proof of fixed address; (ii) length of residence in the United States; (iii) family ties in the United States and whether any of these ties may entitle them to reside permanently in the United States; (iv) employment history; (v) record of appearance in court; (vi) criminal history; (vii) history of immigration violations; (viii) any attempts to flee prosecution or otherwise escape from authorities; and (ix) manner of entry to the United States. *Id.* at 40.

9. Just last summer, the Attorney General reiterated the well-established maxim that an immigration judge is to consider the totality of the circumstances when assessing a foreign national's suitability for bond. *See, e.g., Matter of Akhmedov*, 29 I. & N. Dec. 166, 166 n.1, 168 (A.G. 2025). Here, however, the immigration judge focused exclusively on an eighteen-year-old's moment of panic and decision to join a crowd that ran from immigration officers. In doing so, the immigration judge ignored facts including the Petitioner's fixed address, his residence with his mother, his grant of special immigrant juvenile status, and his attendance at a Baltimore high school.
10. The Board has held that consideration of potential relief, and its potential for success, is a factor that an immigration judge may rely on when assessing bond suitability. *See Matter of R-A-V-P-*, 27 I. & N. Dec. 803 (BIA 2020). However, the Board did not base its decision in *Matter of R-A-V-P-* on the potential for relief alone. The Board found in *Matter of R-A-V-P-* that the respondent also failed to establish the critical factors in the determination of flight risk of family and/or community ties, employment history and length of history in the United States. The Petitioner in this case provided ample evidence of the critical factors that are dispositive in a flight risk assessment. Here, the immigration judge concluded that someone who had nothing

left to do but wait for a visa to become available had relief that was “speculative.”

The immigration judge violated *Matter of R-A-V-P-* as well.

11. The decision by the immigration judge to deny bond based on flight risk by ignoring substantial evidence of relevant factors is a serious legal error that warrants this Court’s review. The immigration judge’s decision was not supported by the evidence on the record.
12. In his petition for writ of habeas corpus, the Petitioner requested that the Court order his immediate release or, alternatively, a bond hearing pursuant to 8 U.S.C. § 1226(a) conducted by a neutral and impartial adjudicator. The immigration judge’s supervisors have made plain that they seek to hire “deportation judges.” *See* <https://join.justice.gov/> (last accessed Feb. 19, 2026). The facts of this case make plain that the immigration judge failed to discharge his obligation as a neutral and impartial adjudicator and instead adopted the role of “deportation judge.” Because the Respondents are either unable or unwilling to provide the Petitioner with a neutral and impartial adjudicator, he requests that the Court order his immediate release.

[signatures on following page]

Respectfully submitted,

/s/Brian Scott Green

Brian Scott Green
Colorado Bar ID # 56087
Law Office of Brian Green
8700 E Jefferson Avenue, #370021
Denver, CO 80237
Tel: (443) 799-4225
briangreen@greenusimmigration.com

/s/ Daniel I. Smulow (with permission)

*Daniel I. Smulow
Massachusetts Bar No. 641668
Griffith Immigration Law
300 E. Lombard St., Suite 1030
Baltimore, MD 21202
Tel: (410) 244-5005
dsmulow@raygriffithlaw.com

Date: February 19, 2026

* *Motion for Pro Hac Vice Forthcoming*