United States District Court
Western District of Texas
San Antonio Division

Luis Bautista Perez,
Petitioners,

v.

Kristi Noem, *et al.*,
Respondents.

No. 5:26-CV- 232 FB

Federal Respondents[1]' Unopposed Motion to Amend or Correct Order (ECF 16) Pursuant to FRCP 59(e)

Federal Respondents move this Court, pursuant to Federal Rule of Civil Procedure 59(e) to alter or amend the judgment at ECF No. 16 as the findings of this Court incorrectly state that ICE determined Petitioner was not wanted in Mexico for homicide. That is not correct. ICE never made that representation or determination and believes Petitioner has an active warrant for murder from Mexico.

On March 5, 2026, this Court issued his order granting release under the immigration judge's alternative order granting bond. ECF No. 16 at 6. In the background section, the Court determined that, "[o]n October 12, 2025, Immigration and Customs Enforcement ("ICE") apprehended Petitioner, believing that he was wanted on homicide charges in Mexico. *After ICE concluded it had the wrong individual*, Petitioner..." *Id* at 2 (emphasis added).

ICE objects to this finding and has not made the representation they concluded they had arrested the wrong person.[2] ICE believes that Mexico is seeking this Petitioner for murder in

[1] The Department of Justice represents only federal employees in this action.
[2] Respondents response to the petition reflects ICE's position that Petitioner is wanted by Mexico for murder.

Mexico. *See* Exh. A. Initially, Respondents received information Petitioner was an alien unlawfully present in the United States and wanted for murder in Mexico. Exh. A at 2 (Record of Deportable/Admissible Alien). On October 12, 2025, after conducting surveillance, ICE located Petitioner and arrested him. *Id* at 2–3.

Amendment of the judgment is necessary to accurately reflect Respondents' position and correct the record. Undersigned has conferred with Petitioner's counsel who is unopposed.

Respondents respectfully request that this Court alter or amend its judgment to correct the finding.

Respectfully submitted,

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Certificate of Conference

On March 10, 2025, undersigned spoke with counsel via phone and email. Petitioner is unopposed.

/s/ Anne Marie Cordova
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