

**United States District Court
Western District of Texas
El Paso Division**

Jose Polanco Penalver,
Petitioner,

v.

Pam Bondi, *et al.*,
Respondents.

No. 3:26-CV-00169-KC

Federal Respondents' Advisory to the Court

Federal Respondents file this Advisory to notify the Court of Petitioner's removal status, per the Court's Order of March 18, 2026. ECF No. 16. The Court ordered Respondents to notify the Court of whether Petitioner has been removed to Cuba. As stated in the attached declaration from Elizabeth Urquidi, Acting Supervisory Detention and Deportation Officer, ERO was unable to effectuate the removal mission on March 19, 2026, due to the Government of Cuba declining Petitioner's repatriation. *See* Exh. A, Declaration, at pg. 2, ¶ 7. Petitioner is pending return from Adams County Correctional Center to ERO El Paso in order to effectuate removal to Mexico under the agreement with Mexico to accept Cuban, Venezuelan, Nicaraguan, and Haitian (CVNH) citizens for third country removal to Mexico. *Id.* at pg. 2, ¶¶ 5, 8. Should Petitioner fail to comply with removal to Mexico, ERO El Paso will take the next steps to find a safe, alternative third country for removal. *Id.* at pg. 3, ¶ 10. To date, Petitioner has not been removed and remains in custody.

Dated: March 20, 2026

Respectfully submitted,

Justin R. Simmons
United States Attorney

By: /s/ Deborah L. Fischer

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Attorneys for Federal Respondents

Certificate of Service

On or about March 20, 2026, I directed a copy of this filing to be mailed via US Certified Mail to the Pro Se Petitioner at the below address:

Jose Polanco Penalver,
A 
Adams County Correctional Center
20 Hobo Fork Rd.
Natchez, MS 39120
Petitioner PRO SE

By: /s/ Deborah L. Fischer
Deborah L. Fischer
Assistant United States Attorney