United States District Court
Western District of Texas
El Paso Division

Yurisbey Diaz
Petitioner,

v.

Warden of El Paso East Montana Facility, *et al.*,
Respondents.

No. 3:26-CV-225-LS

Federal[1] Respondents' Advisory

Respondents submit this advisory to advise the Court of a possible error in the Federal Respondent's pleadings.

On February 19, 2026, Federal Respondents filed their response to Petitioner's Petition. ECF No. 3. Attached to said response was a declaration from an ERO officer regarding the procedural history and removal efforts. ECF No. 3 at Exh. A.

Paragraph 13 of Exhibit A states the following:

> On February 4, 2026, ERO ELP removed Diaz from the CVNH mission due to a stay of removal granted by the Board of Immigration Appeals (BIA) pending a Motion to Reopen filed by Diaz.

On February 20, 2026, undersigned was advised by ICE that the above-described paragraph is incorrect. ICE advised undersigned that there is not a stay of removal with the BIA currently pending.

Undersigned requests leave to provide the Court with a corrected response and exhibit by Monday, February 23, 2026.

Respectfully submitted,

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