

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

ELIZABETH CLEMENTE
CEBALLOS

Petitioner,

v.

ANGEL GARITE, in his official
capacity as Assistant Field Office
Director of Enforcement and Removal
Operations, El Paso Field Office,
U.S. Immigration and Customs
Enforcement;

MARY DE ANDA-YBARRA, in her
official capacity as Field Office
Director of Enforcement and Removal
Operations, El Paso Field Office, U.S.
Immigration and Customs
Enforcement;

TODD LYONS, in his official capacity
as Acting Director and Senior Official
Performing the Duties of the Director
of U.S. Immigration and Customs
Enforcement;

KRISTI NOEM, in her official
capacity as Secretary of the U.S.
Department of Homeland Security;

Case No. 3:26-cv-00312-DB

NOTICE OF VIOLATION OF
ORDER AND MOTION TO
ENFORCE

MAJ. GEN. CURTIS TAYLOR, in his
official capacity as Senior Commander
of Fort Bliss, Texas;

and

PAMELA BONDI, in her official
capacity as United States Attorney
General

Respondents.

NOTICE OF VIOLATION OF ORDER AND MOTION TO
ENFORCE

1. Petitioner Elizabeth Clemente Ceballos filed a Petition for Habeas Corpus and a request to require Respondents to return to her all of her property upon release.
2. The Court ordered Respondents grant Petitioner a bond hearing before an IJ.
3. The IJ granted Petitioner release on bond at her hearing.
4. No other conditions were imposed by either the IJ or the Court.
5. Respondents violated the Court's order and retained the Petitioner's property upon release.
6. Respondents violated the Court's order and placed an ankle monitor on the Petitioner.

7. In contravention of the Court Order, Respondents have retained:
 - a. Ms. Clemente Ceballos's Minnesota ID; and
 - b. Ms. Clemente Ceballos's Mexican Passport.
8. Deprivation of her lawfully issued legal identification documents is an injury to and restraint upon Petitioner's liberty. A Minnesota Court recognized in a similar ICE property retention case, that identification documents are essential to modern life: to free movement, to work, to support one's family and participate in the community. See Attached Court Order (Rigoberto S.J. v. Bondi et al.).
9. Petitioner notes other Courts have documented extensive non-compliance with Court orders by Federal Respondents. See Attached Court Order (Kumar v. Soto et al.). Petitioner notes other Courts have found it proper to ameliorate unlawful conditions of release pursuant to a habeas petition. See *Barreno v. Juan Baltasar, Warden, Aurora ICE Processing Ctr.*, 25-cv-03017-GPG-TPO, 2026 U.S. Dist. LEXIS 9571, *6-7 (D.C. Colo. January 15, 2026); *see also N-N v. McShane*, NO. 25-5494, 2025 U.S. Dist. LEXIS 220871 (E.D. Pa. November 6, 2025) (concluding ICE's use of an ankle monitor when the IJ did not require one is a breach of its own rules); *see also Palacio v. Hermosillo*, No. C25-1983-RSM-MLP, 2025 U.S. Dist. LEXIS 270854 (W.D. Wa. December 22, 2025). As one court recently put it: "ICE's use of GPS

monitor and other measures instead of a ball and chain makes no difference.” *Barreno*, supra at *6.

10. This is a pervasive and ongoing problem with ICE’s extreme actions in the past year in violation of a great many humans’ constitutionally protected Due Process rights. One court in New Jersey recently noted **72 violations** of habeas orders in that district alone. See *Cartagena Hueso v. Soto*, No. 3:26-cv-01455-ZNQ (D.C.N.J. February 26, 2026)(attached for the Court’s convenience).
11. Consequently, Petitioner, by and through undersigned counsel, moves that Respondents be held in contempt until such time as (a) her ankle monitor is removed and (b) her above enumerated government-issued identification documents are returned to her, pursuant to this Court’s orders.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- a. Maintain jurisdiction over this matter;
- b. Hold Respondents in contempt until they effect the **return**
Petitioner’s government-issued identification documents;

c. Require Respondents produce affidavits documenting their efforts to locate and return the Petitioner's property, and naming the ERO officials with actual custody of these documents to enable the Court to seek further testimony;

d. Require Respondents to make immediate arrangements for the removal of the GPS ankle monitor from Petitioner;

e. Petitioner further requests the enumerated documents be returned to the office of Petitioner's counsel by a definite time to ensure their prompt and secure delivery; and

e. Grant any other and further relief that this Court deems just and proper.

DATED: February 26, 2026

Respectfully submitted,



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