

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

DICK PERRY CHIMEL NKONDI,
Petitioner,

v.

TODD LYONS, et al.,
Respondents.

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Case No.: AU:26-CV-00330-RP

PETITIONER'S MOTION TO PERMIT VIDEO APPEARANCE

Petitioner, through undersigned counsel, respectfully moves the Court for an order permitting counsel to appear by video conference at the pretrial conference set for March 20, 2026, at 9:30 a.m. In support, counsel states as follows:

1. On March 9, 2026, the Court set this matter for a pretrial conference on Friday, March 20, 2026, at 9:30 a.m., in Courtroom 4 of the United States Courthouse in Austin, Texas.
2. Undersigned counsel respectfully requests leave to appear remotely by video for that hearing.
3. Good cause exists for the requested remote appearance. Counsel is the parent of  child who is currently on spring break.
4. Since receiving the Court's order, counsel has diligently attempted to secure appropriate childcare so that counsel could travel from El Paso to Austin for the

hearing. Despite those efforts, counsel has been unable to obtain childcare that can adequately meet her child's needs.

5. Permitting counsel to appear by video conference will allow counsel to continue to represent Petitioner diligently and zealously without seeking a continuance of the hearing, which is particularly important given Petitioner's already prolonged detention.
6. A remote appearance will not prejudice any party or disrupt the proceeding. Counsel will ensure access to stable internet service and adequate audio and video capabilities and will comply with any instructions issued by the Court regarding remote appearances.
7. Undersigned counsel conferred with opposing counsel, AUSA Jerry Krimbill, regarding this request in accordance with Local Rule 7.1. On March 17, 2026, opposing counsel advised undersigned counsel that he does not oppose this motion.

WHEREFORE, Petitioner respectfully requests that the Court grant this Motion and permit undersigned counsel to appear by video conference at the pretrial conference scheduled for March 20, 2026, and grant such other and further relief to which Petitioner may be justly entitled.

March 17, 2026

Respectfully submitted,

/s/ Brenda M. Villalpando

Brenda M. Villalpando

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Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that on March 17, 2026, I electronically filed the foregoing Motion with the Clerk of Court using the CM/ECF system, which will send notice of such filing to all counsel of record.

Respectfully submitted,

/s/ Brenda M. Villalpando
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Counsel for Petitioner

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CIVIL NO. AU:26-CV-00330-RP

**[PROPOSED] ORDER GRANTING PETITIONER'S MOTION TO PERMIT
VIDEO APPEARANCE**

Before the Court is Petitioner's Motion to Permit Video Appearance. Having considered the Motion, the Court finds that good cause exists and that the Motion should be GRANTED.

IT IS THEREFORE ORDERED that Petitioner's Motion to Permit Video Appearance is GRANTED.

IT IS FURTHER ORDERED that Brenda M. Villalpando may appear by video conference at the pretrial conference scheduled for March 20, 2026, at 9:30 a.m.

SIGNED on _____, 2026.

UNITED STATES DISTRICT
JUDGE