

Dianisa Erica Sosa, Esq.
TX Bar No. 24143776
Jaime Barron, PC
4738 NW Loop 410, Suite 100
San Antonio, TX 78229
P: (210) 606-9300
E: DianisaS@jaimebarron.com
Attorney for Petitioner

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

Sergio Diaz-Mar
Petitioner,

v.

PAM BONDI,
United States Attorney General;

KRISTI NOEM,
Secretary of the United States Department of
Homeland Security;

TODD M. LYONS,
Director of United States Immigration and
Customs Enforcement;

MIGUEL VERGARA,
San Antonio Field Office Director of
Enforcement and Removal, U.S. Immigration
and Customs Enforcement;

BOBBY THOMPSON,
Warden, South Texas Detention Complex

Respondents.

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Civ. No.: 5:26-cv-919-FB

## A File Number:

**PETITIONER'S MOTION TO EXPEDITE RULING ON PETITION FOR WRIT OF  
HABEAS CORPUS**

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**INTRODUCTION AND PROCEDURAL BACKGROUND**

Petitioner respectfully submits this Motion to Expedite Ruling on his Petition for habeas Corpus under 28 U.S.C. § 1657(a) for good cause. He unlawfully remains detained in Respondents' custody. His wife and two minor U.S. Citizen children are greatly suffering in his absence. Petitioner filed his Petition for Writ of Habeas Corpus on February 12, 2026. Dkt. 1. The case was assigned to Your Honor. An Order for Service and Further Orders of the Court were entered on February 12, 2026. Dkt. 4. The Respondents were ordered to file a response to the Petition within five days from the date of service. Respondents' Response was filed on February 24, 2026. Dkt. 8. Petitioner filed his Response to Respondents' Answer on March 3, 2026. Dkt. 11. This Court has not ruled on Petitioner's Petition for Writ of Habeas Corpus. Petitioner's wife and U.S. citizen children are suffering greatly as a result of his unlawful detention.

An expedited ruling is appropriate here because of Petitioner's family urgently need his emotional and economic support and because Respondents have not meaningfully identified a material reason for Petitioner's unlawful detention. The Petitioner has viable Constitutional arguments that should warrant his release.

**I. THIS COURT HAS PREVIOUSLY HELD THAT RESPONDENTS' POSITION  
IS WITHOUT MERIT AND HAS GRANTED PETITIONERS' IMMEDIATE  
RELEASE**

Petitioner's Petition for a Writ of Habeas Corpus presents straightforward Constitutional questions with urgent liberty consequences: whether Petitioner's detention is a violation of the Immigration Nationality Act, the Due Process Clause of the Fifth Amendment, the Administrative

Procedure Act, the Suspension Clause of the United States Constitution, and of the *Accardi* Doctrine. Respondents' response brief largely re-urges the same position the Court has already rejected in previous case decisions: That position is inconsistent with the text and structure of the INA, the Constitution, and the growing body of district court authority rejecting DHS's recent pivot.

In the Western District of Texas, numerous Petitions for Writs of Habeas Corpus have been granted based on Constitutional and Due Process reasons. *Cruz-Reyes v. Bondi*, No. 5:26-CV-60, — F. Supp. 3d —, 2026 WL 332315, at \*13 (S.D. Tex. Feb. 3, 2026) (“[D]ue process concerns weigh heavily in favor of granting immediate release.”); *Santiago*, 2025 WL 2792588, at \*13–14 (collecting cases and finding that “immediate release appropriately remedies Respondents’ violation of [Petitioner’s] due process rights through her continued detention.”); *Mekhtievi v. Thompson et al*, NO. 5:20-cv-533 (W.D. Tex. Mar. 16, 2026); *Lopez-Diaz v. Bondi*, No. 5:26-CV-959 (W.D. Tex. Mar. 18, 2026). Given the Respondents put forth the same arguments opposing relief that have previously been rejected by this Court, Petitioner respectfully requests that a ruling on his petition be expedited.

## **II. EXPEDITED RULING IS APPROPRIATE BEASED ON SIGNIFICANT ONGOING HARM CAUSED BY DELAY**

Petitioner has been in the United States for over twenty-eight years and is the father of two U.S. citizen children, both minor children, ages 6 years old, 1 year old. He lives with and supports his family in Kyle, Texas. This detention is a substantial deprivation and burden that puts Petitioner and his family at risk without his parental and financial support.

Petitioner was detained for a broken taillight on November 11, 2025 and remains in civil detention in the custody of ICE at South Texas Detention Complex in Pearsall, TX. Petitioner has no criminal charges from any arrests.

**RELIEF REQUESTED**

Petitioner respectfully requests that the Court grant this Motion for Expedited Ruling on Petitioner's Writ of Habeas Corpus.

Respectfully submitted on this 23rd day of March, 2026

**/s/ Dianisa Erica Sosa**  
Counsel for Petitioner  
Jaime Barron, PC  
4738 NW Loop 410, Suite 100  
San Antonio, Texas 78229  
Tel: (210) 606-9300  
DianisaS@jaimebarron.com

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing PETITIONER'S MOTION TO EXPEDITE RULING ON PETITION FOR WRIT OF HABEAS CORPUS in the case of Sergio Diaz-Mar v. Bondi, et al., Civil Action 5:26-cv-919-FB was sent to Fidel Esparza, III, Assistant United States Attorney, Western District of Texas, 601 N.W. Loop 410, Suite 600, San Antonio, Texas 78216 through the District Clerk's electronic case filling system on this 23rd day of March, 2026.

Dated this 23<sup>rd</sup> day of March, 2026.

**/s/ Dianisa Erica Sosa**  
Counsel for Petitioner  
Jaime Barron, PC  
4738 NW Loop 410, Suite 100  
San Antonio, Texas 78229  
Tel: (210) 606-9300  
DianisaS@jaimebarron.com