Erica Sanchez, Esq.,
MiVoz Law, PLLC
Of Counsel to Shefer Law Firm, P.A.
Arizona Bar #027107
800 SE 4th. Ave #803
Hallandale Beach, Florida 33009
Telephone: (786) 295-9077
erica@shefer.legal
Attorney for Petitioner

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Yeniffer Yisandra Labrada-Pelegrin, **Petitioner,** v. **Markwayne Mullin**, Secretary of the United States Department of Homeland Security, in his official capacity; **Sirce Owen**, Acting Director of Executive Office for Immigration Review, in her official capacity; **Eric Rokosky**, Warden of the Eloy Detention Center in his official capacity, **Respondents**.	**Case No. 2:26-cv-02824-MJM-ASB** **Agency No.** [redacted] **PETITIONER'S MOTION FOR LEAVE TO FILE SECOND AMENDED PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Yeniffer Yisandra Labrada-Pelegrin, through undersigned counsel, respectfully moves for leave to file the attached Second Amended Petition for Writ of Habeas Corpus pursuant to Federal Rule of Civil Procedure 15(a)(2) and states as follows below. In light of ICE's notice that Petitioner's removal is imminent, Petitioner respectfully requests expedited consideration of this Motion.

1. Petitioner filed her original Petition for Writ of Habeas Corpus on April 22, 2026. Doc. 1.

2. Petitioner thereafter filed a First Amended Petition on April 23, 2026. Doc. 5.

3. On April 24, 2026, this Court issued an Order to Show Cause directing Respondents to respond to the First Amended Petition. Doc. 6.

4. Respondents filed their Response on April 30, 2026. Doc. 10.

5. Petitioner filed her Reply on May 4, 2026. Doc. 11.

6. Since completion of the briefing, significant new facts have arisen that were not available when the First Amended Petition, Response, or Reply were filed.

7. On June 4, 2026, ICE Deportation Officer Tanner Alcon advised counsel by email that Petitioner possesses Franco status and that ICE was being provided notice of an anticipated removal for that reason.

8. Officer Alcon further advised that Petitioner is scheduled to be staged for removal beginning June 8, 2026, for removal to Ecuador.

9. These developments occurred after the filing of the First Amended Petition, after Respondents filed their Response, and after Petitioner filed her Reply.

10. The proposed Second Amended Petition adds allegations concerning these newly arisen facts and further addresses Respondents' contention that Petitioner's constitutional claims became moot upon the finality of her removal order and subsequent detention under 8 U.S.C. § 1231.

11. The proposed amendment does not alter the fundamental nature of this action. Petitioner continues to challenge the constitutionality of her re-detention following a prior grant of liberty and seeks habeas relief arising from that alleged constitutional violation.

12. Leave to amend should be freely granted when justice so requires. Fed. R. Civ. P. 15(a)(2).

13. Respondents will not suffer undue prejudice because the proposed amendment arises from events occurring after the operative petition was filed and concerns matters directly related to Petitioner's ongoing detention and threatened removal.

14. Denial of leave would substantially prejudice Petitioner because the proposed amendment addresses events that did not exist when the prior pleading was filed and that bear directly on the Court's ability to provide effective relief.

15. Given the imminent removal presently scheduled by ICE, good cause exists for expedited consideration of this Motion.

WHEREFORE, Petitioner respectfully requests that the Court:

1. Grant this Motion for Leave to File Second Amended Petition for Writ of Habeas Corpus;
2. Direct the Clerk to file the attached Second Amended Petition as the operative petition in this action;
3. Consider the allegations contained in the Second Amended Petition in conjunction with Petitioner's Emergency Motion for Temporary Restraining Order and Temporary Stay of Removal; and
4. Grant such other and further relief as the Court deems just and proper.

RESPECTFULLY SUBMITTED this 8 day of June, 2026.

By: */s/ Erica Sanchez*
Erica Sanchez, Esq.,
MiVoz Law, PLLC
Of Counsel to Shefer Law Firm, P.A.
800 SE 4th. Ave #803
Hallandale Beach, Florida 33009
(786) 295-9077