EMERGENCY MOTION FOR IMMEDIATE RELEASE
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

EASTERN DIVISION

FILED
JUL 10 2026
CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK

MARIO ENRIQUE MONTENGRO
As father and Next Friend of
MARIO ENRIQUE MONTENEGRO-FLORES
[redacted]

1:26-CV-5338-EJD

Petitioner,

v.

WARDEN, ADELANTO ICE PROCESSING CENTER;
TODD M. LYONS, Acting Director, U.S. Immigration and Customs Enforcement;
PAM BONDI, Attorney General of the United States,

Respondents.

Petitioner, **Mario Enrique Montenegro,** appearing as the father and Next friend of **Mario Enrique Montenegro-Flores**, respectfully moves this Honorable Court for an Order granting the immediate release of his son while this Petition for Writ of Habeas Corpus is pending.

In support of this Motion, Petitioner states as follows:

I. EMERGENCY NATURE OF THIS MOTION

This Motion presents and Urgent medical emergency.

Mario Enrique Mntenegro-Flores suffers from severe mental illnesses, including, schizophrenia; major depression, insomnia, and brief psychotic disorder. These conditions require continuous psychiatric treatment, prescription medication, and ongoing supervision.

His continued detention places him at a substantial risk of rapid psychiatric deterioration and irreparable harm.

II. FACTUAL BACKGROUND

Prior to his detention, Mario Enrique Montenegro-Flores was receiving treatment for his diagnosed psychiatric illnesses.

On **May 16, 2026,** Mario Enrique Montenegro-Flores suffered an acute psychiatric crisis. Cncerned for his son's safety, Mario Enrique Montenegro contacted local law enforcement solely to obtain emergency assistance for his son's mental health condition.

The purpose of contacting the police was never to punish his son, but rather to obtain immediate medical intervention for his psychiatric condition.

Instead of receiving appropriate mental health care, Mr. Montenegro-Flores was taken into custody and is now detained by immigration and Customs Enforcement at the

III. CONTINUED DETENTION CREATES IRREPARABLE HARM

Petitioners respectfully submit that continued detention places his son at significant risk because:

- Schizophrenia requires continuous psychiatric monitoring.
- Depression increases the risk of emotional deterioration.
- Insomnia further aggravates his psychiatric illnesses.
- Brief Psychotic Disorder may rapidly worsen when treatment is interrupted.
- Separation from his family has intensified his mental distress.

Every additional day in detention increases the likelihood of psychiatric decompensation and may result in irreversible consequences.

IV. PETITIONER DOES NOT PRESENT A FLIGHT RISK OR DANGER TO THE COMMUNITY

Mr. Montengro-Flores is not a danger to the public.

His detention did not arise because of violent criminal conduct toward the community but rather from a psychiatric crisis during which his own father sought emergency help.

This incident that resulted in his arrest was directly related to his diagnosed mental illnesses.

- Stable housing;
- Transportation;
- Medication supervision;
- Mental Health appointments;
- Compliance with all ICE reporting requirements; and
- Any conditions of supervision imposed by this Court.

If released, he will immediately reside with his father at:



V. THE BALANCE OF EQUITIES FAVORS RELEASE

Petitioner respectfully submits that:

- Continued detention threatens his health
- Release poses little or no risk to the community
- Less restrictive alternatives are available
- The public interest is served by ensuring that individuals suffering from severe mental illness receive proper medical treatment rather than prolonged detention.

VI. REQUEST FOR EXPEDITED CONSIDERATION

Given the serious nature of Petitioner's psychiatric illnesses and the risk of permanent harm, Petitioner respectfully requests that this Motion be considered on an expedited basis.

Immediate judicial intervention is necessary to prevent further deterioration of Petitioner's mental health while this matter is pending.

WHEREFORE,

Petitioner respectfully requests that this Court:

1. Expedite consideration of this Motion;
2. Order Respondents to immediately respond;

3. Order the immediate release of Mario Enrique Montenegro-Flores under appropriate conditions of supervision pending resolution of the Habeas Petition;
4. Alternatively, order an immediate individualized custody hearing before this Court; and
5. Grant such other and further relief as the Court deems just and proper.

Respectfully Submitted,



Mario Enrique Montenegro
Father and Next Friend of
Mario Enrique Montengro-Flores

