

CLOSED,HABEAS,COVID-19,MTP

**U.S. District Court
Southern District of Mississippi (Western)
CIVIL DOCKET FOR CASE #: 5:20-cv-00106-DCB-MTP**

Espinoza et al v. Witte et al
Assigned to: District Judge David C. Bramlette, III
Referred to: Magistrate Judge Michael T. Parker
Cause: 28:2241 Petition for Writ of Habeas Corpus
(Federal)

Date Filed: 04/16/2020
Date Terminated: 08/04/2020
Jury Demand: None
Nature of Suit: 463 Habeas Corpus -
Alien Detainee
Jurisdiction: U.S. Government
Defendant

Petitioner

Leyanis Tamayo Espinoza

represented by **Cliff Johnson**
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Petitioner

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Petitioner

Jose Ruben Lira Arias

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Petitioner

Viankis Maria Yanes Pardillo

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Petitioner

Ndikum Keshia Angu Anjoh

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Petitioner

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Matthew S. Vogel - PHV
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V.

Respondent

Dianne Witte
in her official capacity as Interim
New Orleans Field Office Director,
U.S. Immigration and Customs
Enforcement
TERMINATED: 04/20/2020

Respondent

Matthew T. Albence
*in his official capacity as Deputy
Director and Senior Official
Performing the Duties of the
Director of the U.S. Immigration and
Customs Enforcement*
TERMINATED: 04/20/2020

Respondent

**Immigration and Customs
Enforcement**
TERMINATED: 04/20/2020

Respondent

Shawn Gillis
*in his official capacity as Warden,
A.C.C.D.C.*

represented by **Angela Givens Williams-Federal
Gov**
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LEAD ATTORNEY
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| Date Filed | # | Docket Text |
|-------------------|--------------------------|--|
| 04/16/2020 | <u>1</u> | PETITION for a Writ of Habeas Corpus and COMPLAINT for Injunctive and Declaratory Relief against Matthew T. Albence, Shawn Gillis, Immigration and Customs Enforcement and Dianne Witte (Filing fee \$ 400 paid; receipt number 0538-4254123) filed by Anthony Baptiste, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo, Ndikum Keshia Angu Anjoh, Leyanis Tamayo Espinoza, Linda Chuo Fru and Jose Ruben Lira Arias. (Attachments: # <u>1</u> Civil Cover Sheet)(ND) (Entered: 04/16/2020) |
| 04/16/2020 | <u>2</u> | Summons Issued as to Shawn Gillis, Matthew T. Albence, Immigration and Customs Enforcement and Dianne Witte. (Attachments: |

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| | | # 1 Summons Matthew T. Albence, # 2 Summons ICE, # 3 Summons Dianne Witte)(ND) (Entered: 04/16/2020) |
| 04/16/2020 | 3 | MOTION for Temporary Restraining Order by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/16/2020) |
| 04/16/2020 | 4 | AFFIDAVIT in Support re 3 MOTION for Temporary Restraining Order filed by Leyanis Tamayo Espinoza (Attachments: # 1 Exhibit Declaration of Leyanis Tamayo Espinoza, # 2 Exhibit Declaration of Edilia Del Carmen Martinez, # 3 Exhibit Declaration of Jose Ruben Lira Arias, # 4 Exhibit Declaration of Ndikum Keshia Angu Anjoh, # 5 Exhibit Declaration of Viankis Maria Yanes Pardillo, # 6 Exhibit Declaration of Anthony Baptiste, # 7 Exhibit Declaration of Linda Chuo Fru, # 8 Exhibit Declaration of Dr. Lydia Bazzano, # 9 Exhibit Declaration of Dr. Jaimie Meyer, # 10 Exhibit Orders & Opinions Releasing Individuals from Immigration Detention)(Johnson, Cliff) (Entered: 04/16/2020) |
| 04/16/2020 | 5 | MEMORANDUM in Support re 3 MOTION for Temporary Restraining Order filed by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/16/2020) |
| 04/20/2020 | 6 | ORDER, Dianne Witte, Matthew T. Albence, and Immigration and Customs Enforcement are hereby removed as Respondents. Respondent Warden Shawn Gillis shall file an answer or other responsive pleading in this case within 20 days of the service of a copy of this Order. Dianne Witte, Matthew T. Albence and Immigration and Customs Enforcement terminated. Signed by Magistrate Judge Michael T. Parker on 4/20/2020. (LDR) (Entered: 04/20/2020) |
| 04/23/2020 | 7 | ACKNOWLEDGMENT OF SERVICE Executed as to Shawn Gillis (Civil Process Clerk)served on 4/21/2020, answer due 5/11/2020. (PKM) (Entered: 04/23/2020) |
| 04/24/2020 | 8 | ACKNOWLEDGMENT OF SERVICE Executed as to Shawn Gillis served on 4/22/2020, answer due 5/12/2020. (PKM) (Entered: 04/24/2020) |
| 04/27/2020 | 9 | ACKNOWLEDGMENT OF SERVICE Executed as to Shawn Gillis (Attorney General of the United States) served on 4/24/2020, answer due 5/14/2020. (PKM) (Entered: 04/27/2020) |

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| 04/27/2020 | | Set/Reset Hearings: Telephone Conference set for 4/27/2020 02:00 PM before Magistrate Judge Michael T. Parker. Counsel shall dial 1.888.273.3658, code 1055457 to connect to the call. (MMc) (Entered: 04/27/2020) |
| 04/27/2020 | | Minute Entry for proceedings held before Magistrate Judge Michael T. Parker: Telephone Conference held on 4/27/2020. The parties discussed a briefing schedule. An order will be entered. PARTICIPANTS: Cliff Johnson for plaintiff; Angela Williams for respondent. (KPM) (Entered: 04/27/2020) |
| 04/27/2020 | 10 | Scheduling ORDER re Motion for Temporary Restraining Order 3 and request for preliminary injunction. Response due 4/30/2020. Reply due 5/6/2020. Signed by Magistrate Judge Michael T. Parker on April 27, 2020. (MMc) (Entered: 04/27/2020) |
| 04/28/2020 | 11 | MOTION for Matthew S. Vogel to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4262103) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/28/2020) |
| 04/28/2020 | 12 | MOTION for Sirine Shebaya to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4262122) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/28/2020) |
| 04/29/2020 | 13 | NOTICE of Appearance by Angela Givens Williams-Federal Gov on behalf of Shawn Gillis (Williams-Federal Gov, Angela) (Entered: 04/29/2020) |
| 04/29/2020 | 14 | MOTION for Jeremy Jong to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4262718) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/29/2020) |
| 04/30/2020 | 15 | RESPONSE in Opposition re 3 MOTION for Temporary Restraining Order filed by Shawn Gillis (Attachments: # 1 Exhibit 1-Hagan Decl. I, # 2 Exhibit 2-Hagan Decl. II, # 3 Exhibit 3-Gillis Decl.)(Williams-Federal Gov, Angela) (Entered: 04/30/2020) |
| 04/30/2020 | 16 | MOTION for Guadalupe Victoria Aguirre to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264608) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo |

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| | | Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/30/2020) |
| 04/30/2020 | 17 | MOTION for Baher Azmy to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264610) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/30/2020) |
| 04/30/2020 | 18 | MOTION for Angelo Guisado to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264612) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/30/2020) |
| 04/30/2020 | 19 | MOTION for Astha Sharma Pokharel to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264613) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/30/2020) |
| 04/30/2020 | 20 | MOTION for Ghita Schwarz to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264615) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/30/2020) |
| 04/30/2020 | 21 | MOTION for Brittany Thomas to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264617) by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 04/30/2020) |
| 05/04/2020 | 22 | ORDER denying 11 Motion to Appear Pro Hac Vice; denying 12 Motion to Appear Pro Hac Vice; denying 14 Motion to Appear Pro Hac Vice. Signed by Magistrate Judge Michael T. Parker on May 4, 2020. (MMc) (Entered: 05/04/2020) |
| 05/04/2020 | 23 | ORDER denying 16 Motion to Appear Pro Hac Vice; denying 17 Motion to Appear Pro Hac Vice; denying 18 Motion to Appear Pro Hac Vice; denying 19 Motion to Appear Pro Hac Vice; denying 20 Motion to Appear Pro Hac Vice; denying 21 Motion to Appear Pro Hac Vice. Signed by Magistrate Judge Michael T. Parker on May 4, 2020. (MMc) (Entered: 05/04/2020) |
| 05/04/2020 | 24 | ATTACHMENT re 12 MOTION for Sirine Shebaya to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4262122) <i>Corrected</i> |

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| | | <i>Certificate of Good Standing</i> by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 05/04/2020) |
| 05/05/2020 | 25 | ATTACHMENT re 11 MOTION for Matthew S. Vogel to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4262103), 22 Order on Motion to Appear Pro Hac Vice,, <i>Corrected Certificate of Good Standing</i> by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 05/05/2020) |
| 05/05/2020 | | TEXT ONLY ORDER granting pro hac vice admission of Sirine Shebaya and Matthew S. Vogel upon registering for electronic filing. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on May 5, 2020 (KPM) (Entered: 05/05/2020) |
| 05/06/2020 | 26 | REPLY to Response to Motion re 3 MOTION for Temporary Restraining Order filed by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Attachments: # 1 Attachment Declaration of Cliff Johnson, # 2 Exhibit Exhibit 11, # 3 Exhibit Exhibit 12, # 4 Exhibit Exhibit 13, # 5 Exhibit Exhibit 14, # 6 Exhibit Exhibit 15, # 7 Exhibit Exhibit 16, # 8 Exhibit Exhibit 17, # 9 Exhibit Exhibit 18, # 10 Exhibit Exhibit 19, # 11 Exhibit Exhibit 20)(Johnson, Cliff) (Entered: 05/06/2020) |
| 05/11/2020 | 27 | ANSWER to 1 Complaint, by Shawn Gillis.(Williams-Federal Gov, Angela) (Entered: 05/11/2020) |
| 05/13/2020 | 28 | ATTACHMENT re 23 Order on Motion to Appear Pro Hac Vice, 20 MOTION for Ghita Schwarz to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264615) <i>Certificate of Good Standing dated May 12, 2020</i> by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 05/13/2020) |
| 05/13/2020 | 29 | ATTACHMENT re 23 Order on Motion to Appear Pro Hac Vice,,,,,,,,,,,,, 16 MOTION for Guadalupe Victoria Aguirre to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264608) <i>Certificate of Good Standing dated May 12, 2020</i> by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 05/13/2020) |

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| 05/13/2020 | | Set Hearing as to 3 MOTION for Temporary Restraining Order . (Telephonic Motion Hearing set for 5/19/2020 10:00 AM before District Judge David C. Bramlette III.) (lda) (Entered: 05/13/2020) |
| 05/14/2020 | | TEXT ONLY ORDER granting pro hac admission of Guadalupe Victoria Aguirre and Gita Schwarz upon registering for electronic filing. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on May 14, 2020 (KPM) (Entered: 05/14/2020) |
| 05/15/2020 | 30 | ATTACHMENT re 23 Order on Motion to Appear Pro Hac Vice,,,,,,,,,,,,, 18 MOTION for Angelo Guisado to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264612) <i>Certificate of Good Standing Dated May 12, 2020</i> by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 05/15/2020) |
| 05/15/2020 | 31 | ATTACHMENT re 17 MOTION for Baher Azmy to Appear Pro Hac Vice (Paid \$100 PHV fee; receipt number 0538-4264610), 23 Order on Motion to Appear Pro Hac Vice, <i>Certificate of Good Standing Dated May 13, 2020</i> by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 05/15/2020) |
| 05/18/2020 | | TEXT ONLY ORDER granting pro hac admission of Angelo Guisado and Baher Azmy upon registering for electronic filing. No further written order will issue. Signed by Magistrate Judge Michael T. Parker on May 18, 2020 (KPM) (Entered: 05/18/2020) |
| 05/19/2020 | | Minute Entry for proceedings held before District Judge David C. Bramlette, III: Motion Hearing held on 5/19/2020 re 3 MOTION for Temporary Restraining Order filed by Leyanis Tamayo Espinoza, Linda Chuo Fru, Jose Ruben Lira Arias, Edilia Del Carmen Martinez, Ndikum Keshia Angu Anjoh, Viankis Maria Yanes Pardillo, Anthony Baptiste. PARTICIPANTS: Ghita Schwarz, Cliff Johnson, Attorneys for the Plaintiffs; Angela Givens Williams, AUSA. The Court heard from the parties on the Motion for Temporary Restraining Order. The Court will file a Memorandum Opinion and Order ruling on the Motion. The parties may submit additional facts on the Motion prior to the Court's ruling. Court Reporter/Transcriber Candice Crane, Telephone Number : 601-608-4187. (lda) (Entered: 05/19/2020) |
| 05/22/2020 | 32 | RESPONSE in Support re 3 MOTION for Temporary Restraining Order <i>with supplemental authority</i> filed by Ndikum Keshia Angu Anjoh, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez (Attachments: # 1 Exhibit District Court order in |

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| | | Dada v. Witte, # 2 Exhibit District Court order in Coreas v. Bounds)(Schwarz - PHV, Ghita) (Entered: 05/22/2020) |
| 05/26/2020 | | TEXT ORDER ONLY: Petitioners have filed a Supplemental Authority in Support of their Motion for Temporary Restraining Order [ECF No. 32]. The Government has five (5) days from the entry of this Text Order to respond. Signed by District Judge David C. Bramlette, III on 05/26/2020 (sl) (Entered: 05/26/2020) |
| 06/01/2020 | 33 | Response in Opposition re 3 MOTION for Temporary Restraining Order by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) filed by Shawn Gillis (Attachments: # 1 Exhibit 1-Gillis Declaration, # 2 Exhibit 2-CDC Guidance)(Williams-Federal Gov, Angela) (Entered: 06/01/2020) |
| 06/03/2020 | 34 | ORDER denying 3 Motion for TRO. Signed by District Judge David C. Bramlette, III on 06/03/2020 (sl) (Entered: 06/03/2020) |
| 06/11/2020 | 35 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Motions Proceedings held on May 19, 2020 before Judge David C. Bramlette, III. Court Reporter/Transcriber Candice Crane, Telephone Number : 601-608-4187. NOTICE RE : REDACTION OF TRANSCRIPTS: The parties have seven (7) calendar days to file with the Court a Notice of Intent to Request Redaction of this transcript. If no Notice is filed, the transcript will be made electronically available to the public without redaction after 90 calendar days. The policy is located on the court website at www.mssd.uscourts.gov. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 7/2/2020. Redacted Transcript Deadline set for 7/13/2020. Release of Transcript Restriction set for 9/9/2020. (CC) (Entered: 06/11/2020) |
| 08/04/2020 | 36 | STIPULATION of Dismissal by Ndikum Keshia Angu Anjoh, Jose Ruben Lira Arias, Anthony Baptiste, Leyanis Tamayo Espinoza, Linda Chuo Fru, Edilia Del Carmen Martinez, Viankis Maria Yanes Pardillo (Johnson, Cliff) (Entered: 08/04/2020) |

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| PACER Login: | CRClearinghouse:2563377:0 | Client Code: | Leake |
| Description: | Docket Report | Search Criteria: | 5:20-cv-00106-DCB-MTP |
| Billable Pages: | 11 | Cost: | 1.10 |