

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, MONROE DIVISION

Fran Alexis Benitez-Umanzor v. Judge Alexander C. Van Hook,
Jackson Parish Correctional Center

Benitez-Umanzor · No. Civil Action No. 26-0940; 3:26-cv-00940 · Decided April 15, 2026

SUMMARY

The United States District Court for the Western District of Louisiana denied Fran Alexis Benitez-Umanzor’s motion for a preliminary injunction seeking to prevent his removal from the United States while his habeas petition was pending. The court held that, because Benitez-Umanzor had requested and been granted voluntary departure, he was required to exhaust available administrative remedies before obtaining injunctive relief. The ruling was signed by Judge Alexander C. Van Hook on April 15, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Monroe Division
WRITING FOR THE COURT	Alexander C. Van Hook
JURISDICTION	United States District Court for the Western District of Louisiana, Monroe Division
DECIDED	April 15, 2026
DOCKET	Civil Action No. 26-0940; 3:26-cv-00940
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a motion for a preliminary injunction seeking to prohibit his removal from the United States while his federal habeas petition was pending. The court had previously entered and extended a temporary restraining order barring removal.
STANDARD OF REVIEW	The court evaluated whether petitioner was entitled to preliminary injunctive relief and whether exhaustion of available administrative remedies was required before such relief could be granted.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum ruling

TOPICS

removal proceedings

injunctions

exhaustion of remedies

immigration

administrative law

PRACTICE AREAS

immigration

immigration detention

administrative law

civil procedure

injunctions

QUESTIONS PRESENTED

1. Whether Benitez-Umanzor was entitled to a preliminary injunction preventing his removal while his habeas petition was pending.
2. Whether a person who requested and was granted voluntary departure must exhaust available administrative remedies, including a motion to reopen, before seeking injunctive relief in federal court.

HOLDINGS

1. Because Benitez-Umanzor consented to voluntary departure, he was required to exhaust the available administrative remedies in his immigration proceeding before seeking injunctive relief in federal court.
2. The motion for a preliminary injunction barring removal was denied.

KEY QUOTATIONS

“Because Benitez-Umanzor consented to a voluntary departure, he must first exhaust his administrative remedies before seeking review in federal court.”

“The exhaustion...doctrine requires not that only administrative remedies selected by the [petitioner] be first exhausted, but instead that all those prescribed administrative remedies which might provide appropriate relief be pursued prior to seeking relief in the federal courts.”

FACTUAL BACKGROUND

Benitez-Umanzor was subject to removal proceedings and had requested and been granted voluntary departure. He sought to prevent his removal while his habeas petition remained pending, but did not disclose the voluntary-departure request and grant in his earlier filings. He asserted that he had rejected voluntary departure and intended to remain in the United States, but offered no explanation of when or how he communicated that rejection.

PROCEDURAL HISTORY

Benitez-Umanzor filed a petition for a writ of habeas corpus and moved for a preliminary injunction. The court entered a fourteen-day temporary restraining order, extended it for an additional fourteen days, and ordered the Government to respond to the alternative preliminary-injunction request. After reviewing the Government's response and petitioner's reply, the court denied the motion for preliminary injunction because petitioner had not exhausted available administrative remedies.

DISPOSITION

other

CASES CITED

- Kohwarien v. Holder, 635 F.3d 174, 176 n.1 (5th Cir. 2011)
- Hinojosa v. Horn, 896 F.3d 305, 314 (5th Cir. 2018)
- Rodriguez v. Holder, 335 F. App'x 463, 464 (5th Cir. 2009)

OPINION

Benitez-Umanzor

PER CURIAM.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

MONROE DIVISION

FRAN ALEXIS BENITEZ-UMANZOR CIVIL ACTION NO. 26-0940

VERSUS

JUDGE ALEXANDER C. VAN HOOK

JACKSON PARISH CORRECTIONAL

CENTER MAGISTRATE JUDGE AYO

MEMORANDUM RULING

Fran Alexis Benitez-Umanzor (“Benitez-Umanzor”) filed a motion for a preliminary injunction to prohibit his removal from the United States while his petition for a writ of habeas corpus remains pending. Record Document 11. Previously, the Court entered a temporary restraining order barring removal of Benitez-Umanzor for fourteen days. Record Document 7. Then, for good cause, the Court extended the temporary restraining order for an additional fourteen days. Record Document 14. As part of the extension, the Court ordered the Government to respond to Benitez-Umanzor’s alternative request for a preliminary injunction. *Id.* The Government has now responded. Record Document 15. For the reasons below, the motion for preliminary injunction, Record Document 11, is denied. Despite filing multiple briefs and factual statements, Benitez-Umanzor, who is represented by counsel, did not fulfill his duty of candor to the Court when he never disclosed that he requested and was granted voluntary departure as part of his removal proceeding. Record Document 15-4, at 1. His concealment is revealing. As the United States Court of Appeals for the Fifth Circuit has explained, “[v]oluntary departure is a discretionary form of relief that allows certain aliens to leave the country willing.” *Kohwarien v. Holder*, 635 F.3d 174, 176 n.1 (5th Cir. 2011). Because Benitez-Umanzor consented to a voluntary departure, he must first exhaust his administrative remedies before seeking review in federal court. See *Hinojosa v. Horn*, 896 F.3d 305, 314 (5th Cir. 2018) (“The exhaustion...doctrine requires not that only administrative remedies selected by the [petitioner] be first exhausted, but instead that all those prescribed

administrative remedies which might provide appropriate relief be pursued prior to seeking relief in the federal courts.”). Benetiz-Umanzor claims that he has “expressly rejected voluntary departure and has communicated his intent to remain and pursue relief.” Record Document 16, at 3. To make this claim, Benetiz-Umanzor is presumably referring to his pending habeas petition because he offered no explanation of when or how he communicated this supposed rejection. See generally *id.* The Court is not persuaded. In its earlier rulings, the Court noted that the Government must follow its own administrative procedures before removing Benetiz-Umanzor. See, e.g., Record Document 7, at 3 (“[I]njunctive relief serves the public interest by ensuring the Government adheres to the regulatory process of the SIJS program.”). Benetiz-Umanzor must do the same, and the Court finds that he must exhaust administrative remedies available to him before he is entitled to injunctive relief. *Rodriguez v. Holder*, 335 F. App’x 463, 464 (5th Cir. 2009) (holding that an alien who agreed to voluntarily depart must file a motion to reopen as part of the immigration proceeding before the voluntary departure period expires). DONE AND SIGNED in Shreveport, Louisiana, this 15th day of April, 2026.

ALEXANDER C. VAN HOOK

UNITED STATES DISTRICT JUDGE