

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

Annerys Mariana Cano Alvarez v. South Louisiana Ice Processing
Center, Et Al.

Cano Alvarez · No. Civil Action No. 26-0696 · Decided March 9, 2026

SUMMARY

The United States District Court for the Western District of Louisiana referred the petition for a writ of habeas corpus to the magistrate judge for consideration and disposition. The court denied the accompanying application for a temporary restraining order and preliminary injunction, concluding that the requested release or bond hearing duplicated the ultimate habeas relief sought and that the petitioner was not entitled to bypass habeas procedures through a TRO.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lafayette Division
WRITING FOR THE COURT	Alexander C. Van Hook
JURISDICTION	United States District Court for the Western District of Louisiana, Lafayette Division
DECIDED	March 9, 2026
DOCKET	Civil Action No. 26-0696
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus and a simultaneous application for a temporary restraining order and preliminary injunction seeking immediate release or a bond hearing. The court referred the habeas petition to the magistrate judge and denied the application for preliminary relief.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive authority only
PARTIES	Annerys Mariana Cano Alvarez v. South Louisiana ICE Processing Center, et al.

TOPICS

- injunctions
- immigration detention
- federal habeas corpus
- immigration
- civil procedure

PRACTICE AREAS

immigration detention

federal habeas corpus

injunctive relief

QUESTIONS PRESENTED

1. Whether a temporary restraining order or preliminary injunction may be used to obtain immediate release when release is the ultimate relief sought in a pending habeas petition.
2. Whether the petitioner was entitled to a bond hearing as emergency preliminary relief.

HOLDINGS

1. A petitioner may not use a temporary restraining order or preliminary injunction to bypass the ordinary consideration of a habeas petition and obtain the ultimate relief sought—here, immediate release.
2. Under Fifth Circuit precedent cited by the court, an illegal alien is not entitled to a bond hearing solely because the person has resided in the United States for years.

KEY QUOTATIONS

“one cannot skip the line by dressing a habeas petition in TRO clothes.”

“the purpose of injunctive relief is to preserve the status quo; it is not to give the movant the ultimate relief he seeks.”

FACTUAL BACKGROUND

The petitioner sought habeas relief and simultaneously requested emergency injunctive relief. The requested injunction would have required her immediate release or a bond hearing. The district court concluded that these requests mirrored the ultimate relief sought in the habeas petition.

PROCEDURAL HISTORY

Annerys Mariana Cano Alvarez filed a habeas petition and an application for a temporary restraining order and preliminary injunction in the same action. The district court referred the habeas petition to the magistrate judge for consideration and disposition, but denied the request for immediate release or a bond hearing because the requested relief duplicated the ultimate relief sought through habeas corpus.

DISPOSITION

denied

CASES CITED

- Rodriguez v. Lyons, No. CV 25-1926, 2025 WL 3553742, at *1 (W.D. La. Dec. 8, 2025)
- Peters v. Davis, No. 6:17-cv-595, 2018 WL 11463602, at *2 (E.D. Tex. Mar. 27, 2018)
- Lindell v. United States, 82 F.4th 614, 618 (8th Cir. 2023)
- Victor Buenrostro-Mendez v. Pamela Bondi, et al., 166 F.4th 494 (5th Cir. Feb. 6, 2026)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAFAYETTE DIVISION ANNERY'S MARIANA CANO CIVIL ACTION NO. 26-0696 ALVAREZ VERSUS JUDGE ALEXANDER C. VAN HOOK SOUTH LOUISIANA ICE PROCESSING CENTER, ET AL. MAGISTRATE JUDGE HORNSBY ORDER The Petitioner, Annerys Mariana Cano Alvarez, simultaneously filed a petition for a writ of habeas corpus, R. Doc. 1, and an application for a temporary restraining order and preliminary injunction, R. Doc.

2. The habeas petition, R. Doc. 1, is REFERRED to the Magistrate Judge for consideration and disposition. Furthermore, because the preliminary relief sought, release or a bond hearing, mirrors the ultimate relief sought in the habeas petition, the application for a temporary restraining order and preliminary injunction is DENIED.

The Petitioner's request for immediate release is improper because one cannot skip the line by dressing a habeas petition in TRO clothes. See *Rodriguez v. Lyons*, No. CV 25-1926, 2025 WL 3553742, at *1 (W.D. La. Dec. 8, 2025) (denying a "motion to decide my habeas petition now."); *Peters v. Davis*, No. 6:17-cv-595, 2018 WL 11463602, at *2 (E.D. Tex. Mar. 27, 2018) (explaining that a TRO is not purposed "to give a plaintiff the ultimate relief he seeks"); *Lindell v. United States*, 82 F.4th 614, 618 (8th Cir.

2023) ("[T]he purpose of injunctive relief is to preserve the status quo; it is not to give the movant the ultimate relief he seeks."). The Petitioner's demand for a bond hearing is unavailing because the United States Court of Appeals for the Fifth Circuit has held that illegal aliens are not entitled to such a hearing, even if they have resided in the United States for years.

Victor Buenrostro-Mendez v. Pamela Bondi, et al., 166 F.4th 494 (5th Cir. Feb. 6, 2026). DONE AND SIGNED at Shreveport, Louisiana, this 9th day of March, 2026. Ci Vor ah — UNITED STATES DISTRICT JUDGE