

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Santos Romero Marroquin de Rodriguez,)
)
Petitioner,)
)
v.) **MOTION TO ENFORCE**
) **COURT ORDER (DOC NO. 26)**
)
)
DAVID WESLING, Acting Field Office Director,)
MICHAEL KROL, HSI New England Special)
Agent in Charge, and TODD LYONS, Acting)
Director U.S. Immigrations and Customs)
Enforcement, and KRISTI NOEM, U.S. Secretary)
of Homeland Security,)
)
Respondents.)
)

INTRODUCTION

Petitioner Santos Valentina Romero Marroquin de Rodriguez (“Petitioner” or “Ms. Romero”) moves that the Court compel U.S. Immigration and Customs Enforcement (“ICE”) to comply with the Court’s order dated January 28, 2026, Doc No. 26, which granted the above-captioned Petition for Writ of Habeas Corpus. The January 28th Order required that ICE “release Petitioner on the previously set conditions of release [in her Order of Supervision].” Doc No. 26 at p. 10. As of the filing of this Motion, ICE is refusing to release Ms. Romero in violation of this Court’s order.

Shortly after issuance of the January 28, 2026 Order, counsel for Respondents indicated that she had provided a copy of the order to ICE. *See* Exhibit 1, VanScoyoc Declaration at ¶4. Ms. Romero’s attorney promptly drove to the ICE holding facility in Burlington, arriving at approximately 1:00 P.M. *Id.* at ¶5. Ms. Romero’s attorney waited at the ICE holding facility until

she was informed that the lobby was closing at approximately 4:00 P.M. *Id.* She was repeatedly told by the ICE officers working in Burlington that they had been instructed not to release Ms. Romero. *Id.* On information and belief, Ms. Romero remains detained in Burlington as of the filing of this Motion.

Respondents' refusal to release Ms. Romero does not comply with this Court's January 28, 2026 order. Moreover, although the undersigned promptly alerted ICE – through counsel – to this problem, the agency has not corrected its noncompliance.

Accordingly, based on the foregoing, Ms. Romero respectfully requests that the Court order ICE to immediately release her, or face judicial sanction.

Respectfully submitted,

Santos Valentina Romero Marroquin
de Rodriguez,

By her attorneys,

/s/ Kelly C. Morgan
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Counsel for Petitioner

Dated: January 28, 2026

CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2026, the foregoing Motion and the Exhibits referenced therein were electronically filed with the Clerk of the Court through the CM/ECF system, which will send notification of such filing to registered participants, including counsel for the Respondents.

/s/ Kelly Morgan
Kelly Morgan
BBO# 703737

January 28, 2026

CERTIFICATE OF LOCAL RULE 7.1(A) COMPLIANCE

I hereby certify that the parties to the above-captioned litigation, through counsel, conferred in good faith concerning the relief sought in the instant Motion but were unable to resolve or narrow the issues.

/s/ Kelly C. Morgan
Kelly Morgan
BBO# 703737

January 28, 2026