

<p>(Type or Print) NAME AND ADDRESS OF REPRESENTED PARTY</p> <p>Luis Ernesto Lliguishusca Loja</p> <hr/> <p style="text-align:center">(First) (Middle Initial) (Last)</p> <p>425 Golden State Avenue N/A</p> <hr/> <p style="text-align:center">(Number and Street) (Apt. No.)</p> <p>Bakersfield CA 93301</p> <hr/> <p style="text-align:center">(City) (State) (Zip Code)</p>	<p>A-NUMBER (Provide Alien ("A") number of the party represented) 240-159-856</p> <hr/> <p>USCIS Visa Appeal (Provide beneficiary name and A number)</p> <hr/> <p>Fine (Provide fine number)</p> <hr/> <p>Disciplinary case (Provide docket number)</p>
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Attorney or Representative (please check one of the following):

I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest court(s) of the following states(s), possession(s), territory(ies), commonwealth(s), or the District of Columbia (use additional space on reverse side if necessary), and I am not subject to any order disbaring, suspending, enjoining, restraining or otherwise restricting me in the practice of law in any jurisdiction (if subject to such an order, do not check this box and explain on reverse).

Full Name of Court California Bar Number (if applicable) 337502

I am a representative accredited to appear before the Executive Office for Immigration Review as defined in 8 C.F.R. § 1292.1(a)(4) with the following recognized organization:

I am a law student or law graduate of an accredited U.S. law school as defined in 8 C.F.R. § 1292.1(a)(2).

I am a reputable individual as defined in 8 C.F.R. § 1292.1(a)(3) and I have included a statement demonstrating that I meet the required criteria.

I am an accredited foreign government official, as defined in 8 C.F.R. § 1291.1(a)(5), from _____ (country).

I am a person who was authorized to practice on December 23, 1952, under 8 C.F.R. § 1292.1(b).

Attorney or Representative (please check one of the following):

I hereby enter my appearance as attorney or representative for, and at the request of, the party named above.

EOIR has ordered the provision of a Qualified Representative for the party named above and I appear in that capacity.

I have read and understand the statements provided on the reverse side of this form that set forth the regulations and conditions governing appearances and representations before the Board of Immigration Appeals. By signing this form, I consent to publication of my name and any findings of misconduct by EOIR, should I become subject to any public discipline by EOIR pursuant to the rules and procedures at 8 C.F.R. 1003.101 *et seq.* I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNATURE OF ATTORNEY OR REPRESENTATIVE	EOIR ID NUMBER	DATE
X	UY981323	02/09/2026

NAME OF ATTORNEY OR REPRESENTATIVE, ADDRESS, FAX & PHONE NUMBERS, & EMAIL ADDRESS

Name: Natalia Vieira Santanna

(First) (Middle Initial) (Last)

Address: 1900 Fruitvale Avenue Suite 3F

(Number and Street) (Suite)

Law Firm: Santanna Law Offices

Oakland CA 94601

(City) (State) (Zip Code)

Telephone: 510-922-0154 Facsimile: 510-903-4211 Email: natalia@santannalaw.com

Check here if new address

Indicate Type of Appearance:

Primary Attorney/Representative Non-Primary Attorney/Representative

I am providing pro bono representation. Check one: yes no

Proof of Service

I (Name) Natalia Vieira Santanna provided a copy of this Form EOIR-27 on (Date) 02/09/2026 to the

DHS (U.S. Immigration and Customs Enforcement – ICE) at 10250 Rancho Road, Adelanto, CA 92301

DHS (U.S. Citizenship and Immigration Services – USCIS) at _____

EOIR Disciplinary Counsel at _____

No service needed. I electronically filed this document, and the opposing party is participating in ECAS.

X _____

Signature of Person Serving

APPEARANCES - A practitioner of record is authorized and required to appear on behalf of a respondent, to file all documents on behalf of a respondent, and to accept service of process of all documents filed in the proceedings before the Board of Immigration Appeals (BIA). See 8 C.F.R. §§ 1003.38(g)(1)(ii), 1292.5(a). To perform the functions of and become the practitioner of record, the practitioner must file a separate Form EOIR-27 for each represented party in each appeal or motion before the BIA (8 C.F.R. § 1003.2(g)(1), 1003.3(a)(3), 1003.38(g)(1)), even though the practitioner may have appeared in the case before the Immigration Judge or U.S. Citizenship and Immigration Services. For information on how to file a Form EOIR-27 with the BIA, see the BIA Practice Manual at www.justice.gov/eoir. If information is omitted from the Form EOIR-27 or is not properly completed, the appearance may not be recognized, and the accompanying filing may be rejected. When an appearance as a practitioner of record is made by a person acting in a representative capacity, his/her personal appearance or signature constitutes a representation that, under 8 C.F.R. part 1003, he/she is authorized and qualified to represent individuals and will comply with the EOIR Rules of Professional Conduct in 8 C.F.R. § 1003.102. Thereafter, substitution or withdrawal may be permitted upon approval by the BIA of a request of the practitioner of record in accordance with *Matter of Rosales*, 19 I&N Dec. 655 (1988). Appearances for limited purposes other than for document assistance to an unrepresented or *pro se* respondent are not permitted. 8 C.F.R. § 1003.2(g)(1), 1003.38(g)(2); *Matter of Velasquez*, 19 I&N Dec. 377, 384 (BIA 1986). A Form EOIR-60, not a Form EOIR-27, is required for the entry of a limited appearance for document assistance on an appeal, brief, motion, or other document. Note: Attorneys and Accredited Representatives (with full accreditation) must register with the EOIR eRegistry to practice before the BIA. 8 C.F.R. § 1292.1(f). Registration must be completed online at www.justice.gov/eoir. Attorneys and Accredited Representatives (with full accreditation) must first update their address in eRegistry before filing a Form EOIR-27 that reflects a new address.

FREEDOM OF INFORMATION ACT - This form may not be used to request records under the Freedom of Information Act (FOIA) or the Privacy Act. See 28 C.F.R. § 16.1-16.11 and appendices. For information about FOIA requests, see *How to File a Freedom of Information Act (FOIA) Request With the Executive Office for Immigration Review*, at <https://www.justice.gov/eoir>.

PRIVACY ACT NOTICE - The information requested on this form is authorized by 8 U.S.C. § 1362 and 8 C.F.R. § 1003.3 in order to enter an appearance to represent a party before the BIA. The information you provide is mandatory and required to enter an appearance. Failure to provide the requested information will result in an inability to represent a party or receive notices of actions in a proceeding. EOIR may share this information with others in accordance with approved routine uses described in EOIR's system of records notice, EOIR-001, Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004), and EOIR-003, Practitioner Complaint-Disciplinary Files, 64 Fed. Reg. 49237 (September 1999), or their successors. Furthermore, the submission of this form acknowledges that an attorney or representative will be subject to the disciplinary rules and procedures at 8 C.F.R. § 1003.101 et seq., including, pursuant to 8 C.F.R. §§ 292.3(h)(3), 1003.108(c), publication of the name of the attorney or representative and findings of misconduct should the attorney or representative be subject to any public discipline by EOIR.

CASES BEFORE EOIR - Automated information about cases before EOIR is available by calling (800) 898-7180 or (304) 625-2050 or by checking online at <https://acis.eoir.justice.gov>.

ADDITIONAL INFORMATION:

PAPERWORK REDUCTION ACT NOTICE - A person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose minimal burden on you to provide us with information. The estimated average time to complete this form is six (6) minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

Fee Waiver Request

NAME AND ALIEN ("A") NUMBER

Answer all items in English. (Type or Print)

If more than one respondent is included in your application, motion, or appeal, only the lead respondent need file this form.

Lliguishusca Loja, Luis Ernesto

240-159-856

Name (Last, First, Middle)

Alien ("A") Number

AFFIDAVIT IN SUPPORT OF FEE WAIVER REQUEST.

(This affidavit is to be signed by the respondent, not the respondent's attorney or representative of record.)

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that I am the person above and that I am unable to pay the filing fee. I believe that my application/motion/appeal is valid and not frivolous, and I declare that the following information is true and correct to the best of my knowledge.

Luis Ernesto Lliguishusca Loja

(Print name of respondent filing the form)



(Signature of respondent filing the form)

02/09/2026

(Date signed)

The Immigration Judge may grant your fee waiver request for an EOIR application or motion filed with the Immigration Court if you show that you are unable to pay the filing fee. The Board of Immigration Appeals (BIA) may grant your fee waiver request for an appeal or motion filed with the BIA if you show that you are unable to pay the filing fee. If this fee waiver request does not establish your inability to pay the required fee, your application, motion, application, or appeal will not be deemed properly filed. 8 C.F.R. §§ 1003.8 and 1003.24(d). You must answer all questions on the form even if the answer is "\$0.00".

1. Estimate your average monthly amount of money received from each of the following sources. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the average monthly rate. Use gross amounts, that is, amounts before any deductions for taxes and other state/federal payroll withholdings.

Income Sources	Monthly Average
Employment, including self-employment	\$ 0.00
Income from real property (such as rental income)	\$ 0.00
Interest from checking and/or saving account(s)	\$ 0.00
All other income, including but not limited to these and other sources: alimony, child support, interest, dividends, social security, annuities, unemployment, public assistance, etc.	\$ 0.00
1.A.: TOTAL AVERAGE MONTHLY INCOME	\$ 0

2. Estimate your average monthly expenses. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

Expense Sources	Monthly Average
Rent or home-mortgage payment(s) (include lot rented for mobile home)	\$ <u>0.00</u>
Utilities (electricity, heating fuel, water, sewer, telephone, internet, etc.)	\$ <u>0.00</u>
Installment payments or outstanding debits (credit card(s), store credit card(s), vehicle payment, personal loan(s), etc., but not including rent or home-mortgage payments)	\$ <u>0.00</u>
Living expenses (food, clothing, transportation, child care, tuition, etc.)	\$ <u>0.00</u>
All other expenses, including but not limited to these and other sources: alimony, child support, insurance, medical, health, any state or federal taxes, attorney fees, etc.	\$ <u>0.00</u>
2.B: TOTAL AVERAGE MONTHLY EXPENSES	\$ <u>0</u>

3. Calculate ability to pay filing fee (total income minus total expenses):

TOTAL AVERAGE MONTHLY INCOME (1.A):	\$ 0
TOTAL AVERAGE MONTHLY EXPENSES (2.B):	- \$ 0
TOTAL:	\$ 0.00

4. Provide any other information that will help explain why you cannot pay the filing fees for your appeal, motion, or application. Include your name and “A” number on all pages of any additional document(s) or additional pages.

I have been in continuous immigration detention since August 2025. Due to my **detained status**, I am legally and physically unable to maintain employment or earn any income. I do not have access to my personal assets, if any, and I have no liquid funds available to cover the costs of the filing fees. Because I am completely dependent on the detention facility for my basic needs and have no way to generate the necessary funds, paying the fee would result in an extreme financial hardship and effectively deprive me of my right to pursue this appeal.

Attorney or Representative (if any):

(If an attorney or representative is submitting this form, the attorney or representative must complete, sign, and date below.)

I hereby attest that I have reviewed the details provided herein and I am satisfied that this fee waiver request is made in good faith.

	Natalia Vieira Santanna	UY981323	02/09/2026
Signature of Attorney or Representative	Print Name	EOIR ID Number	Date

Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete this form is one (1) hour. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, Suite 2600, Falls Church, Virginia 22041.

Privacy Act Notice: The information on this form is requested to determine if you have established eligibility for the fee waiver you are seeking. The legal right to ask for this information is located at 8 C.F.R. § 1003.8(a)(3). EOIR may provide this information to other Government agencies. Failure to provide this information may result in denial of your request.

Staple Check or Money Order Here. Include Name(s) and "A" Number(s) on the face of the check or money order.

1. List Name(s) and "A" Number(s) of all Respondent(s)/Applicant(s):
Luis Ernesto Lliguishusca Loja, A-Number: 240-159-856

For Official Use Only



WARNING: Names and "A" Numbers of **everyone** appealing the Immigration Judge's decision must be written in item #1. The names and "A" numbers listed will be the only ones considered to be the subjects of the appeal.

2. I am the Respondent/Applicant DHS-ICE (Mark only one box.)

3. I am DETAINED NOT DETAINED (Mark only one box.)

4. My last hearing was at 425 Golden State Avenue, Bakersfield, California (Location, City, State)

5. **What decision are you appealing?**

Mark only one box below. If you want to appeal more than one decision, you must use more than one Notice of Appeal (Form EOIR-26).

I am filing an appeal from the Immigration Judge's decision *in merits proceedings* (example: removal, deportation, exclusion, asylum, etc.) dated January 12, 2026.

I am filing an appeal from the Immigration Judge's decision *in bond proceedings* dated _____ . (For DHS use only: Did DHS invoke the automatic stay provision before the Immigration Court? Yes. No.)

I am filing an appeal from the Immigration Judge's decision *denying a motion to reopen or a motion to reconsider* dated _____.

(Please attach a copy of the Immigration Judge's decision that you are appealing.)

6. **State in detail the reason(s) for this appeal. Please refer to the General Instructions at item F for further guidance. You are not limited to the space provided below; use more sheets of paper if necessary. Write your name(s) and “A” number(s) on every sheet.**

The Immigration Judge entered a final order of removal against Mr. Lliguishusca Loja, a pro se detained Respondent, based on his alleged failure to apply for or designate any form of relief from removal. This finding was both legally erroneous and factually incorrect: the IJ improperly applied the abandonment standard without considering government interference that prevented timely filing, and failed to fulfill the heightened duty to develop the record for a detained pro se respondent.

The IJ issued a removal order based on an incomplete record created by government obstruction. The BIA should vacate the order and remand for consideration of the asylum application that was not reviewed due to government delay.

The grounds for the Respondent's appeal are detailed in the additional sheets attached to this Notice of Appeal.

(Attach additional sheets if necessary)



WARNING: You must clearly explain the specific facts and law on which you base your appeal of the Immigration Judge's decision. The Board may summarily dismiss your appeal if it cannot tell from this Notice of Appeal, or any statements attached to this Notice of Appeal, why you are appealing.

7. Do you desire oral argument before the Board of Immigration Appeals? Yes No
8. Do you intend to file a separate written brief or statement after filing this Notice of Appeal? Yes No



WARNING: If you mark “Yes” in item #7, you should also include in your statement above why you believe your case warrants review by a three-member panel. The Board ordinarily will not grant a request for oral argument unless you also file a brief.

If you mark “Yes” in item #8, you will be expected to file a written brief or statement after you receive a briefing schedule from the Board. The Board may summarily dismiss your appeal if you do not file a brief or statement within the time set in the briefing schedule..

9.

Sign
Here



X

Signature of Person Appealing
(or attorney or representative)

02/09/2026

Date

Form EOIR-26
Revised Sept. 2019

10. Mailing Address of Respondent(s)/Applicant(s)

Luis Ernesto Lliguishusca Loja
(Name)

425 Golden State Avenue (Mesa Verde ICE Processing Center)
(Street Address)

C Dorm
(Apartment or Room Number)

Bakersfield, CA, 93301
(City, State, Zip Code)

(661) 859-1028
(Telephone Number)

11. Mailing Address of Attorney or Representative for the Respondent(s)/Applicant(s)

Natalia Vieira Santanna
(Name)

PO Box 7528
(Street Address)

N/A
(Suite or Room Number)

Oakland, CA, 94601
(City, State, Zip Code)

(510) 922-0154
(Telephone Number)

NOTE: You must notify the Board within five (5) working days if you move to a new address or change your telephone number. You must use the Change of Address Form/Board of Immigration Appeals (Form EOIR-33/BIA).


NOTE: If an attorney or representative signs this appeal for you, he or she must file *with this appeal*, a Notice of Entry of Appearance as Attorney or Representative Before the Board of Immigration Appeals (Form EOIR-27).

12. PROOF OF SERVICE (You Must Complete This)

I Natalia Vieira Santanna mailed or delivered a copy of this Notice of Appeal
(Name)

on 02/09/2026 to Assistant Chief Counsel of DHS - ICE
(Date) (Opposing Party)

at 10250 Rancho Road, Adelanto, CA, 92301
(Number and Street, City, State, Zip Code)

SIGN HERE  X _____
Signature

NOTE: If you are the Respondent or Applicant, the "Opposing Party" is the Assistant Chief Counsel of DHS - ICE.

WARNING: If you do not complete this section properly, your appeal will be rejected or dismissed.

WARNING: If you do not attach the fee or a completed Fee Waiver Request (Form EOIR-26A) to this appeal, your appeal may be rejected or dismissed.

HAVE YOU?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Read all of the General Instructions | <input checked="" type="checkbox"/> Served a copy of this form and all attachments on the opposing party |
| <input checked="" type="checkbox"/> Provided all of the requested information | <input checked="" type="checkbox"/> Completed and signed the Proof of Service |
| <input checked="" type="checkbox"/> Completed this form in English | <input checked="" type="checkbox"/> Attached the required fee or Fee Waiver Request |
| <input type="checkbox"/> Provided a certified English translation for all non-English attachments | <input checked="" type="checkbox"/> If represented by attorney or representative, attach a completed and signed EOIR-27 |
| <input checked="" type="checkbox"/> Signed the form | |

**ADDITIONAL SHEETS OF RESPONDENT'S REASONS FOR APPEAL -
FORM EOIR 26, SECTION 6**

Respondent, by and through undersigned counsel, hereby submits the following grounds for appeal:

I. Clearly Erroneous Findings of Fact:

1. Finding that Respondent "failed to apply for relief" by the January 12, 2026 hearing date is clearly erroneous: The IJ's finding that no relief application existed as of the hearing date is clearly erroneous. The Form I-589 was in transit to the Court via FedEx at the time of the hearing, having been mailed on January 8, 2026, and arrived at the Court on January 12, 2026 (the same day as the hearing) demonstrating active pursuit of relief up to and including the hearing date itself. Thus, Respondent had, in fact, applied for relief; the application simply had not yet physically arrived at the Court before the hearing due to mailing transit time.

2. Failure to recognize the continuous pursuit of asylum when concluding that Respondent abandoned all applications for relief: Respondent did not fail to apply for relief due to inaction, neglect, or lack of interest in pursuing asylum protection. To the contrary, the record demonstrates that Respondent and undersigned counsel actively and continuously pursued his asylum application from December 2025 through January 2026. The delay in applying was caused entirely by administrative obstruction at Mesa Verde Detention Facility (17-day mail withholding) and severe limitations on communication inherent to the detainee status, not by Respondent's conduct. Despite these government-created barriers, Respondent effectively completed and filed his Form I-589 with the Immigration Court on January 8, 2026. This reflects sustained diligence and a clear intent to seek asylum protection, not abandonment or failure to pursue relief.

3. Failure to recognize barriers inherent to detention status and Respondent's particular vulnerability in finding that Respondent made no effort to seek counsel: Respondent is a 19-year-old Ecuadorian national who suffered severe persecution in his home country as a child. He entered the United States as an unaccompanied minor at age 17 and was not apprehended by Border Patrol; consequently, he had no contact with immigration authorities until his detention in August 2025 and never received the protections warranted to unaccompanied children or guidance regarding his right to apply for asylum. Respondent did not finish high school, does not speak English, and lives in extreme poverty. Due to his ongoing detention, he has no income and is unable to afford legal fees. These circumstances should have been considered by the Immigration Judge when instructing the Respondent,

especially given the Court's heightened duty toward a detained, pro se Respondent seeking humanitarian relief. Despite these vulnerabilities, Respondent actively sought counsel but faced severe obstacles due to his detainee status, poverty, and language barriers. Although he attempted to contact pro bono attorneys from the DHS-provided list, he was unable to secure representation. Undersigned counsel eventually provided pro bono assistance in filing for asylum, but only under a limited-scope representation, which carries its own inherent limitations, and therefore did not appear at the Master Hearing held on January 12.

4. Erroneous finding of abandonment despite continuous pursuit of asylum application:

The IJ's finding that Respondent abandoned relief fundamentally mischaracterizes the record and ignores undisputed evidence that Respondent and counsel actively and continuously pursued the asylum application from December 2025 through January 2026, including multiple attempts to overcome government-created barriers. The failure to apply for asylum is the result of government-created barriers, rather than lack of diligence from the Respondent.

II. Errors of Law:

1. Improper finding of abandonment of relief despite government interference: The IJ treated Respondent's asylum application as abandoned despite undisputed evidence that government interference at Mesa Verde Detention Center (withholding legal mail for 17 days) prevented timely filing. This violated due process under *Rojas v. Johnson*, 773 F.3d 1089 (9th Cir. 2018), and *Orantes-Hernandez v. Meese*, 685 F. Supp. 1488 (C.D. Cal. 1988).

2. Failure to consider extraordinary circumstances and equitable tolling: The IJ issued a removal order without analyzing whether government-created barriers, detention limitations, language barriers, or mailing delays constituted "extraordinary circumstances" excusing any late filing, contrary to *Viridiana v. Holder*, 746 F.3d 1170, 1177 (9th Cir. 2014), *Alcaarez-Rodriguez v. Garland*, 56 F.4th 1294 (9th Cir. 2023), and equitable tolling principles.

3. Failure to fulfill heightened duty to develop the record for a pro se detained respondent: The IJ failed to fulfill the heightened duty to develop the record for a detained, pro se respondent. The IJ did not inquire into Respondent's affirmative statement that he had filed for asylum or investigate why the application was not in the file, violating *Jacinto v. INS*, 208 F.3d 725, 728 (9th Cir. 2000), and *Quintero v. Garland*, 998 F.3d 612, 618-20 (4th Cir. 2021).

4. Incorrect legal conclusion that two prior master hearings exhausted Respondent's right to file an application: The IJ improperly treated scheduling history as an abandonment of relief despite clear law requiring meaningful opportunity to present claims, particularly for unrepresented detained respondents.

5. Due process violation for denying a fair opportunity to apply for asylum: The cumulative effect of detention, language barriers, and government interference deprived Respondent of a meaningful opportunity to be heard and to present his prima facie claim for Asylum, Withholding, and CAT protection.

Respondent reserves the right to further supplement the record and will file a separate brief and evidentiary packet to fully substantiate all factual and legal assertions made herein.

Natalia Vieira Santanna
(Bar N. 337502)
Attorney at Law
P.O. Box 7528
Oakland, CA 94601
Counsel for Respondent



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ADELANTO IMMIGRATION COURT

Respondent Name:

LLIGUISHUSCA LOJA, LUIS ERNESTO

To:

LLIGUISHUSCA LOJA, LUIS ERNESTO
CUSTODIAL OFFICER
MESA VERDE ICE PROCESSING CENT
425 GOLDEN STATE AVE
BAKERSFIELD, CA 93301

A-Number:

240-159-856

Riders:

In Removal Proceedings

Initiated by the Department of Homeland Security

Date:

01/12/2026

ORDER OF THE IMMIGRATION JUDGE

- This is a summary of the oral decision entered on 01/12/2026. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
- Both parties waived the issuance of a formal oral decision in this proceeding.

I. Removability

The immigration court found Respondent removable inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): 212(a)(6)(A)(i), 212(a)(7)(A)(i)(I)

The immigration court found Respondent not removable not inadmissible under the following Section(s) of the Act:

II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

- Asylum was granted denied withdrawn with prejudice withdrawn without prejudice
- Withholding of Removal under INA § 241(b)(3) was granted denied withdrawn with prejudice withdrawn without prejudice
- Withholding of Removal under the Convention Against Torture was granted denied withdrawn with prejudice withdrawn without prejudice
- Deferral of Removal under the Convention Against Torture was granted denied withdrawn with prejudice withdrawn without prejudice
- Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

- Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was granted denied withdrawn with prejudice withdrawn without prejudice
- Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was granted denied withdrawn with prejudice withdrawn without prejudice
- Special Rule Cancellation of Removal under INA § 240A(b)(2) was granted denied withdrawn with prejudice withdrawn without prejudice

C. Waiver

- A waiver under INA § was granted denied withdrawn with prejudice withdrawn without prejudice

D. Adjustment of Status

- Adjustment of Status under INA § was granted denied withdrawn with prejudice withdrawn without prejudice

E. Other

The Court deemed relief ABANDONED on the record at the 01/12/2026 Master Calendar Hearing.

III. Voluntary Departure

- Respondent's application for pre-conclusion voluntary departure under INA § 240B(a) post-conclusion voluntary departure under INA § 240B(b) was denied.
- Respondent's application for pre-conclusion voluntary departure under INA § 240B(a) post-conclusion voluntary departure under INA § 240B(b) was granted, and Respondent is ordered to depart by . The respondent must post a \$ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.
- The respondent is subject to the following conditions to ensure his or her timely departure from the United States:
- Further information regarding voluntary departure has been added to the record.
- Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set

- the presumptive civil monetary penalty amount of \$3,000.00 USD
- \$ USD instead of the presumptive amount.

If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of

10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

IV. Removal

- Respondent was ordered removed to Ecuador
- In the alternative, Respondent was ordered removed to
- Respondent was advised of the penalties for failure to depart pursuant to the removal order:

If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

V. Other

- Proceedings were dismissed terminated with prejudice
 terminated without prejudice administratively closed.
- Respondent's status was rescinded under INA § 246.
- Other:



Immigration Judge: MULLINS, KATIE 01/12/2026

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved

Appeal Due: 02/11/2026

Certificate of Service

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Respondent Name : LLIGUISHUSCA LOJA, LUIS ERNESTO | A-Number : 240-159-856

Riders:

Date: 01/12/2026 By: ESCOBAR, ESMERALDA, Court Staff

CERTIFICATE OF SERVICE

On February 9, 2026, I, Natalia Vieira Santanna, served, by FedEx Priority Overnight, a copy of this **Notice of Appeal from a Decision of an Immigration Judge**, along with attached documents, to the Assistant Chief Counsel of DHS - ICE, at the following mailing address: 10250 Rancho Road, Adelanto, CA 92301.

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