

capacity; U.S. CUSTOMS AND BORDER PROTECTION; TROY MILLER, Senior Official Performing the Duties of the Commissioner of U.S. Customs and Border Protection, in his official capacity; U.S. CUSTOMS AND BORDER PROTECTION OFFICE OF BORDER PATROL; RODNEY S. SCOTT, Chief, United States Border Patrol, in his official capacity (hereinafter collectively referred to as “Defendants”), and in support thereof would respectfully show the Court as follows:

I. PARTIES

2. Plaintiff City of Laredo is a home-rule municipal corporation, incorporated and operating under the laws of the State of Texas.

3. Defendants are appointed officials of the United States government, United States governmental agencies responsible for the implementation of the challenged issue, and the United States.

4. Defendant the United States of America is sued under 5 U.S.C. sections 702–703 and 28 U.S.C. section 1346.

5. Defendant the United States Department of Homeland Security (“DHS”) oversees U.S. Customs and Border Protection (“CBP”) and U.S. Customs and Border Protection Office of Border Patrol, (“BP” and/or “Border Patrol”).

6. Defendant Alejandro N. Mayorkas is the Secretary of the United States Department of Homeland Security. He is responsible for the administrative actions taken in relation to the apprehension and transport of Refugees, Immigrants, and/or Migrants (RIMs). He is sued in his official capacity only.

7. Defendant Troy Miller is the Senior Official Performing the Duties of the Commissioner of CBP. He is responsible for the administrative actions taken in relation to the

apprehension and transport of Refugees, Immigrants, and/or Migrants (RIMs). He is sued in his official capacity only.

8. Defendant Rodney S. Scott is the Chief of the Customs and Border Protection Office of the Border Patrol. He is responsible for the administrative actions taken in relation to the apprehension and transport of Refugees, Immigrants, and/or Migrants (RIMs). He is sued in his official capacity.

JURISDICTION AND VENUE

9. The Court has subject matter jurisdiction pursuant to 28 U.S.C. sections 1346, 1361 and 5 U.S.C. sections 702–703.

10. The Court is authorized to award the requested injunctive relief under 5 U.S.C. section 706, 28 U.S.C. section 1361, and 28 U.S.C. sections 2201–2202.

11. Venue lies in this district pursuant to 28 U.S.C. section 1391 because the City of Laredo is a resident of this Judicial District, and a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this District.

FACTUAL BACKGROUND

12. Refugees, Immigrants, and/or Migrants (RIMs) travel through the southern border of Texas every day. Many of which who cross legally through the Ports of Entry and are tested for COVID-19 before allowed entry into the United States, while many cross the southern border illegally and, consequently, are not tested for COVID-19 prior to their entry. Accordingly, Defendants, and particularly Border Patrol, apprehends these individuals, processes them, and manages their release while they await court proceedings.

13. While many apprehensions occur at our own border in Laredo, many other apprehensions occur in other areas including the Rio Grande Valley (RGV) and the City of Del

Rio. As Defendants continue to process the overflow of RIMs apprehended in the RGV and Del Rio, they have been transporting RIMs into the City of Laredo for release from detention every day. The City was recently advised that Border Patrol will double the number of RIMs brought to Laredo to manage the current overflow in the RGV. *See Exhibit 1*. That is, increasing numbers from three (3) bus loads to six (6) bus loads daily, minimally between 250 to 350 people per day. Of importance, these numbers don't include those RIMs who have actually been detained at the Laredo border, which on average amounts to approximately 25 to 35 per day, making matters to address the ever-growing RIM population at our own Border progressively worse.

14. Not every apprehended person is tested for COVID-19 as part of Defendants' processing procedure before they are legally released from immigration custody and into the general public. Therefore, many, if not most, go untested and risk spreading the disease to other RIMs in their group and the general public after their release.

15. Defendants release these individuals in Laredo, many of which are cared for and serviced by local shelters/entities, Holding Institute and Catholic Charities, also referred to as non-government agencies (NGO's). However, only those who arrive at the NGO's are tested for COVID-19 and treated accordingly in an effort to stop the spread of the deadly virus. This leaves those RIMs who either choose not to go to the shelters or do not qualify to be housed at the shelters to be released into the general public—local bus stations, the airport, etc.—without having been tested for COVID-19 and potentially exposing others to the risk of infection.

16. Furthermore, recent calculations reveal that the COVID-19 positive detections among these RIMs has jumped significantly, up to 40% increase in some groups. *See Exhibit 2*. From June 1st through July 9th there was a noticeable increment of positive cases, as 305 RIMs were reported COVID-19 positive. As of July 11, 2021, there were 139 confirmed active COVID-

19 cases in the City, of which 63 were detainees/RIMs. *See Exhibit 3.* Of particular concern is that COVID-19 variant tests have back positive in the community, some of which were RIM individuals who required to be hospitalized locally. *See Exhibit 3.* The COVID-19 variant requires a longer time for testing which places an additional strain on the NGO's capacity to house and accommodate them for proper treatment and quarantine further necessitating the halt of additional RIMs being brought to the City.

17. Holding Institute is operating as a COVID-19 positive quarantine shelter by testing, vaccinating and housing RIMs, and the Frontera shelter, operated by Catholic Charities, is operating to care for non-positive COVID-19 RIMs. However, further complicating matters, on Friday, July 9, 2021, Holding Institute shelter was quarantined by the City of Laredo Medical Authority (LHA) as a desperate attempt to try and prevent the positive RIMs from infecting the community as the RIMs were apparently walking in the local streets and shopping areas. It is to remain under quarantine for at least the next week to ensure those COVID positive persons complete their isolation period.

18. These two NGO's had been managing and coping within the limits of their financial and personnel resources by expanding locations to provide housing, medical care, and accommodations to all RIMs until July 9, 2021 when the City of Laredo, through federal funds was obligated to step in to assist. Although the City of Laredo can temporarily continue to provide funding through federal funds, the imminent issue at stake is the immediate lack of logistics for obtaining additional operational space and the lack of new and willing employees to recruit to assist.

19. This past week 172 positive RIM persons were identified, placing a significant strain on the shelters to provide basic necessities such as food, water, clothing, toiletries and

medical supplies for persons that must remain at their facility for 10 days in isolation, as per CDC, to prevent further spread of infection. Additionally, with the increasing RIM volume of positives, these persons can complicate or become severe and may require admission to our local hospitals.

20. The ultimately concerning matter is that the City of Laredo is designated as a medically underserved area (MUA) and Health Professionals Shortage Area as designated by the Health Resources and Services Administration (HRSA). The pandemic amplified this issue, with local hospitals experiencing a depletion of medical staff, no pediatric Intensive Care Unit (ICU), and with very limited bed and adult ICU capacity to accept COVID-19 patients, if at all. Our weakened medical infrastructure is not sufficiently equipped to immediately accommodate the health of our own citizens, and most certainly cannot handle the additional stress of dozens of RIM admissions to our local hospitals.

21. The urgency of this matter is that the NGO's are at full capacity and unable to accept additional RIMs. Therefore, if the flow of RIMs to Laredo is not stopped all of those RIMs who are brought to the City will be released from immigration custody (approximately 300 people per day) without being tested when they may be infected with COVID 19 or at the very least have likely been exposed to COVID-19. These RIMs will be dropped off into the general public, at local bus stations, and at the Laredo International Airport—unknowingly exposing the community and fellow citizens to this deadly virus during their travels all over the country.

22. Furthermore, U.S. Health Law Section 265 of Title 42 ("Title 42") is a public health order established by the Centers for Disease Control and Prevention (CDC) during the onset of the coronavirus pandemic, and was implemented by the Trump administration back in March 2020 which essentially prohibits the introduction of individuals into the United States when the CDC Director believes that there is serious danger of the introduction of a

communicable disease into the United States. 42 U.S.C. § 265. The newly implemented policy allowed CBP officials to expel migrants encountered at the U.S-Mexico border instead of holding them in detention facilities to avoid the spread of the virus. It has been reported that President Biden is considering ending the use of the Title 42 expulsion order in the very near future.

SUMMARY OF THE ARGUMENT

23. Although the increased influx of RIMs is clearly a federal issue, the federal government has made this a municipal problem to resolve on our own. As Laredo is an underserved medical community with limited resources, it simply cannot accommodate a surge in COVID-19 positives. The City cannot accept any more buses of RIMs as the flood of RIMs has caused irreparable harm and injury to our community given little to no hospital availability. The situation is imminent as the shelters are at full capacity and it has become impossible to perform and provide reasonable care to RIMs. The City seeks to ensure the health and safety of the community as well as the RIMs, and the rest of the country during their travels. Furthermore, the end of Title 42 would have serious ramifications as our health care system would not be able to handle any additional influx.

24. Therefore, the City requests that Defendants cease transporting RIMs to the City of Laredo until the time that our local shelters have capacity to provide housing and proper accommodations.

LEGAL STANDARD

25. The City of Laredo seeks a temporary restraining order and preliminary injunction for the purpose “of preserving the status quo and preventing [the] irreparable harm” that will occur if Defendants continue to transport buses full of RIMs into the City of Laredo. *Granny Goose Foods, Inc. v. Bhd. of Teamsters & Auto Truck Drivers Local No. 70 of Alameda Cnty.*,

415 U.S. 423, 439 (1974).

26. To merit such relief, the City, as the moving party, must show: (1) a substantial likelihood of success on the merits; (2) a substantial threat that failure to grant the injunction will result in irreparable injury to the moving party; (3) the threatened injury outweighs any damages the injunction may cause defendant; and (4) the injunction is in the public interest. *See Jackson Women's Health Org. v. Currier*, 760 F.3d 448, 452 (5th Cir. 2014); *Mayo Found. for Med. Educ. & Research v. BP Am. Prod. Co.*, 2:20-CV-34-Z, 2020 WL 759212, at *2 (N.D. Tex. Feb. 14, 2020) (applying same standard to temporary restraining order that governs preliminary injunction analysis).

27. “None of [these] four requirements has a fixed quantitative value.” *Monumental Task Comm., Inc. v. Foxx*, 157 F. Supp. 3d 573, 582 (E.D. La. 2016) (citing *Texas v. Seatrain Int'l, S.A.*, 518 F.2d 175, 180 (5th Cir. 1975)). Instead, “a sliding scale is utilized, which takes into account the intensity of each in a given calculus.” *Id.* Thus, in applying the four-part test, the Court must conduct “a delicate balancing,” which weighs “the probabilities of ultimate success at final hearing with the consequences of immediate irreparable injury that possibly could flow from the denial of preliminary relief.” *Id.* Ultimately, whether to grant a request for a temporary restraining order “is left to the sound discretion” of the Court. *Nianga v. Wolfe*, 435 F. Supp. 3d 739, 743 (N.D. Tex. 2020).

ARGUMENT

I. The City is Likely to Prevail on the Merits of Its Claims

28. The City can show that there is concrete, particularized, actual imminent and irreparable injury that is clearly traceable to the actions of the federal government agencies (CBP, BP, and ICE) by their transport of RIMs into the City. The City hereby incorporates the facts

identified in the Factual Background section above as incorporated by reference herein as if fully. Based on the aforementioned facts above, the City is likely to succeed on the merits because the City can show particularly that the health and safety dangers that the continued influx of RIMs into the City pose in regards to COVID-19.

29. Texas Government Code Section 418.108(f) provides, “The county judge or the mayor of a municipality may order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the county judge or mayor if the county judge or mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery”, and Section 418.108(g) states, “The county judge or the mayor of a municipality may control ingress to and egress from a disaster area under the jurisdiction and authority of the county judge or mayor and control the movement of persons and the occupancy of premises in that area. Tex. Gov’t Code § 418.108(f) and (g).

30. Accordingly, due to the influx of RIMs that Defendants continue to transport into Laredo, Webb County, Texas, Webb County Judge Tano Tijerina intends to use his authority pursuant to Section 418.108(f) and (g) to tackle the health and safety concerns posed to the Laredo, Webb County area as an effort to preserve life and ensure that the disaster mitigation, response, and recovery efforts are not lost during such time that the area has been declared as Disaster Area. *See Exhibit 4.*

A. Standard for Assessing Likelihood of Success

31. “As long as the court cannot say there is no likelihood of prevailing on the merits but finds the factor of substantial likelihood of success present to some degree, then the party seeking the injunction has met its burden.” *Family Rehab., Inc. v. Azar*, 3:17-cv-3008, 2018 WL 3155911, at *3 (N.D. Tex. June 28, 2018) (citing *Productos Carnic, S.A. v. Cent. Amer. Beef & Seafood*

Trading Co., 621 F.2d 683, 686 (5th Cir. 1980)).

32. Temporary relief is not appropriate “if there is no chance that the movant will eventually prevail on the merits.” *State of Texas v. Seatrain Int’l, S.A.*, 518 F.2d 175, 180 (5th Cir. 1975). But “one appealing to the conscience of the chancellor to maintain the status quo . . . , although he carries a burden, is not required to prove to a moral certainty that his is the only correct position.” *Id.* That the movant “is unable, in an abbreviated proceeding, to prove with certainty eventual success does not foreclose the possibility that temporary restraint may be appropriate.” *Id.*; *see also* 7C Charles Alan Wright, *et al.*, Fed. Prac. & Proc. § 2948.3 (3d ed.) (“All courts agree that plaintiff must present a prima facie case but need not show a certainty of winning.”).

33. “A preliminary injunction may issue . . . despite the existence of a plausible defense, as long as the movant demonstrates a substantial likelihood of success.” *Dallas Cowboys Cheerleaders, Inc. v. Scoreboard Posters, Inc.*, 600 F.2d 1184, 1188 (5th Cir. 1979).

II. The City of Laredo will Suffer Irreparable Harm if an Injunction is not Granted

34. “To show irreparable injury if threatened action is not enjoined, it is not necessary to demonstrate that harm is inevitable and irreparable.” *Humana, Inc. v. Avram A. Jacobson, M.D., P.A.*, 804 F.2d 1390, 1394 (5th Cir. 1986). Instead, “[t]he plaintiff need show only a significant threat of injury from the impending action, that the injury is imminent, and that money damages would not fully repair the harm.” *Id.* (footnote omitted).

35. The City makes that showing because the continued transport of RIMs into the City for release into the general public will irreparably harm the City given little to no hospital availability. The City has limited resources as it is an underserved medical community, with a shortage of doctors and nurses available to treat those infected with COVID-19. The situation is

imminent as the shelters are at full capacity and will be unable to test and perform and provide reasonable care to additional COVID-19 positive RIMs. The City of Laredo is at a tipping point because of failure to receive timely resources to enforce Washington's changed border policies.

36. Moreover, in the event that the President lifts the Title 42 order within the time that our NGO's are under quarantine and are at full capacity, it would be a logistical nightmare for the City as it would be unable to tackle the health and safety risks posed by the influx. Our health care system (or lack thereof) would not be able to serve the medical needs of the people living in our community in addition to the RIMs.

III. A TRO Would Not Harm Defendants or the Public

37. Defendants face no harm from a TRO. But even if Defendants had a legitimate interest for their continued transport of RIMs to the City, they face no substantial prejudice from doing so. "A temporary restraining order is a 'stay put,' equitable remedy that has as its essential purpose the preservation of the status quo while the merits of the cause are explored through litigation." *Foreman v. Dallas County*, 193 F.3d 314, 323 (5th Cir. 1999), *abrogated on other grounds, Davis v. Abbott*, 781 F.3d 207, 214 (5th Cir. 2015). The remedy the City seeks is merely to stop the transfer or at the least significantly reduce the number of RIMs brought over until our local shelters have capacity to accommodate them. Any hurdles associated with the federal government ceasing transporting RIMs to the City and/or testing RIMs for this deadly virus should certainly be outweighed by the federal government's interest in not only protecting Laredoans, but the people living in this country, including the RIMs who have traveled to the US, and due to the Government's protocols, can legally be released until their due process can be had in a court of law.

IV. An Injunction is in the Public Interest

38. Issuance of a temporary restraining order and subsequent preliminary injunction by this Court is in the public interest as the health and safety of the City and the country is at stake. The release of people who are COVID-19 positive and/or have been exposed to someone who is COVID-19 positive poses a danger that this City and country have endeavored to remedy since the inception of this pandemic. Unfortunately, the federal government has left this public health concern to be tackled by our local government with no consideration of the City's little to no resources nor regard for the deadly ramifications it could have on the country.

39. An easy solution exists to tackle this public health and safety matter—the federal government agencies can transfer RIM overflow to other venues further north that are more logistically prepared and properly medically served to provide adequate accommodations to these people. Venues that are prepared to provide proper food, shelter, COVID-19 testing, isolating if COVID-19 positive or variants, vaccinating, medically treating, and transporting same to bus stations or airports after their release from immigration custody. This not only would ensure proper humanitarian care of RIMs who are now in our county, but ensure the protection of *all* people who come in contact with them—U.S. citizens, and non-citizens—from the risk of getting infected with this deadly disease.

PRAYER FOR RELIEF

40. For the foregoing reasons, Plaintiff CITY OF LAREDO respectfully prays that the Court have **an emergency hearing on the City's request for Temporary Restraining Order and enter an Emergency Temporary Restraining Order enjoining Defendants from transporting RIMs to the City of Laredo until the time that our local shelters have capacity to provide housing and proper accommodations for them**, issue preliminary and permanent injunctive relief regarding same, and award such other further relief as the Court deems equitable

and just.

Dated: July 16, 2021

Respectfully Submitted,

/s/ Alyssa J. Castillon

ALYSSA J. CASTILLON

Assistant City Attorney, City of Laredo

Attorney in Charge

Texas State Bar No.: 24064568

Southern District of Texas Bar No.: 3114327

City of Laredo Office of the City Attorney

1110 Houston Street

Laredo, Texas 78040

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Email: acastillon@ci.laredo.tx.us

~~/s/ Kristina K. Laurel Hale~~

~~**KRISTINA K. LAUREL HALE**~~

~~Texas State Bar No.: 24001044~~

~~*Special Counsel appearing Pro Hec Vice*~~

~~City of Laredo City Manager's Office~~

~~1110 Houston Street~~

~~Laredo, Texas 78040~~

~~Telephone: (956) 791-7319~~

~~Facsimile: (956) 791-7494~~

~~Email: khale@ci.laredo.tx.us~~

Counsel for the City of Laredo

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on July 16, 2021. A true and accurate copy of the foregoing document was also sent to the following email addresses:

ogcexecsec@hq.dhs.gov;

ogc@hq.dhs.gov;

david.palmer@hq.dhs.gov;

stephen.mccleary@hq.dhs.gov;

sharmistha.das@hq.dhs.gov;

cbpserviceintake@cbp.dhs.gov;

Robert.E.perez@cbp.DHS.gov; and

USATXS.CivilNotice@usdoj.gov

And sent via certified mail to:

Civil Process Clerk
United States Attorney's Office
1000 Louisiana Ste 2300
Houston, TX 77002

Office of the General Counsel
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave, SE
Washington, DC 20528-0485

Office of Chief Counsel
U.S. Customs and Border Protection
1300 Pennsylvania Avenue, Suite 4.4-B
Washington, D.C. 20229

/s/ Alyssa J. Castillon

ALYSSA J. CASTILLON

CERTIFICATE OF CONFERENCE

I certify that, on July 16, 2021, I attempted to confer with Defendants about the substance of this application and their availability for a hearing on this matter by emailing the following addresses:

ogcexecsec@hq.dhs.gov;
ogc@hq.dhs.gov;
david.palmer@hq.dhs.gov;
stephen.mccleary@hq.dhs.gov;
sharmistha.das@hq.dhs.gov;
cbpserviceintake@cbp.dhs.gov;
Robert.E.perez@cbp.DHS.gov; and
USATXS.CivilNotice@usdoj.gov

/s/ Alyssa J. Castillon

ALYSSA J. CASTILLON

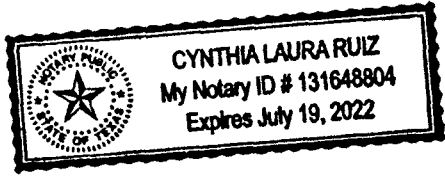
VERIFICATION

STATE OF TEXAS §
COUNTY OF WEBB §

BEFORE ME, the undersigned notary public on this day personally appeared, **City of Laredo Fire Chief and Emergency Management Coordinator Guillermo Heard**, who, being sworn, stated under oath that he has read Plaintiff City of Laredo’s Complaint, Verified Application for a Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction (the “Complaint”), and that the factual allegations contained therein are within his personal knowledge and are true and correct.

Guillermo Heard
Guillermo Heard

SWORN TO AND SUBSCRIBED before me on the 14th day of July, 2021 by Guillermo Heard.



Cynthia Ruiz
Cynthia Ruiz
Notary Public in and for the State of Texas
My Commission Expires: July 19, 2022

2021 JUL 16 ... 4:50
CYNTHIA LAUR RUIZ
131648804

VERIFICATION

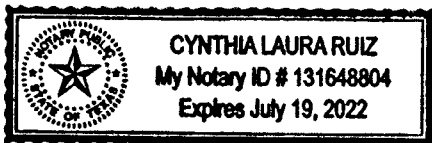
STATE OF TEXAS §
COUNTY OF WEBB §


BEFORE ME, the undersigned notary public on this day personally appeared, **City of Laredo Local Health Authority Dr. Victor Trevino**, who, being sworn, stated under oath that he has read Plaintiff City of Laredo’s Complaint, Verified Application for a Temporary Restraining Order, Preliminary Injunction, and Permanent Injunction (the “Complaint”), and that the factual allegations contained therein are within his personal knowledge and are true and correct.



Dr. Victor Trevino

SWORN TO AND SUBSCRIBED before me on the 14th day of July, 2021 by City of Laredo Local Health Authority Dr. Victor Trevino.





Cynthia Ruiz
Notary Public in and for the State of Texas
My Commission Expires: July 19, 2022

2021 JUL 16 ... 4:50
U.S. COURTS
COUNTY OF WEBB

Alyssa J. Castillon

From: Guillermo Heard
Sent: Monday, July 12, 2021 9:53 AM
To: Kristina L. Hale; Alyssa J. Castillon
Subject: FW: Local Releases

From: Guillermo Heard
Sent: Tuesday, June 29, 2021 8:01 AM
To: 'HUDAK, MATTHEW J' <MATTHEW.J.HUDAK@cbp.dhs.gov>; Claudio Trevino, Jr. <ctrevino@ci.laredo.tx.us>
Subject: RE: Local Releases

Good Morning,

We will advise all the local stakeholder involved in our local response. We are making some request to TDEM for our local NGOs to help support them.

Thank you

Guillermo Heard
Fire Chief/EMC
Laredo Metro Fire Department
[956-718-6021](tel:956-718-6021)
[956-236-3254](tel:956-236-3254)
gheard@ci.laredo.tx.us



U.S. COURTS
2021 JUL 16 ... 4:50
FILED

From: HUDAK, MATTHEW J <MATTHEW.J.HUDAK@cbp.dhs.gov>
Sent: Tuesday, June 29, 2021 7:58 AM
To: Claudio Trevino, Jr. <ctrevino@ci.laredo.tx.us>; Guillermo Heard <gheard@ci.laredo.tx.us>
Subject: Local Releases

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Chiefs,

Your team has already likely received the notification, but we have been asked to shift back to assisting the RGV sector with the processing of family units. As a result, I expect that our number of local releases will return to the higher numbers we saw last month.



Our team will continue to track the numbers. I will be on the road on Friday, but either I or a member of our team will be able to report out an update on Friday's call.

Thanks,

Matthew Hudak
Chief Patrol Agent
USBP Laredo Sector
Tel: 956-764-3201

Covid-19 Data: Holding Institute

Date	Total Covid Testing & Medical Screening (Adult and Pediatric)			Total Vaccines	Percent Covid Positive	Percent -Eligible-	Persons Who Receive Vaccines
	Negative	Positive					
Start Date April 26	69	69	0	59			86
Total May	2021	1938	83	1496		0	94
Total June	1784	1734	50	766		4.1	94
July 1 to July 7	1230	1131	99	481		2.8	94
At Holding Institute						8	86
Currently 233 Positive							
Total Census 300							
Total	5104	4872	232	2802			

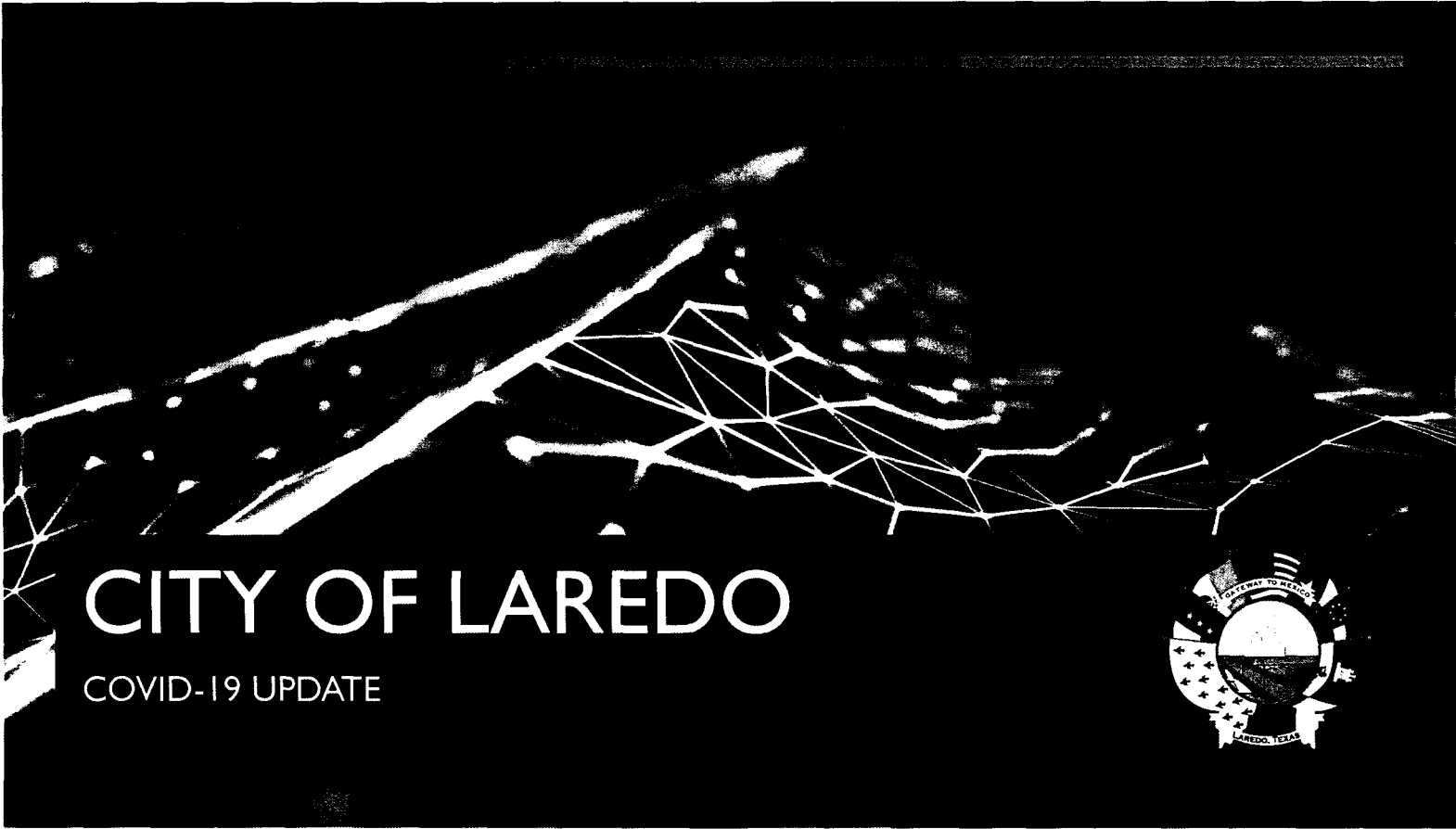
Note*
42.6% of Covid Positive
originate from July 1-July 7

Source: Vara Health

U.S. COURT OF APPEALS
 FOR THE FIFTH CIRCUIT
 2021 JUL 16 ... 4:50
 2021 JUL 16 ... 4:50



2021 JUL 16 11:11 AM
CLERK OF DISTRICT COURT
LAREDO, TEXAS

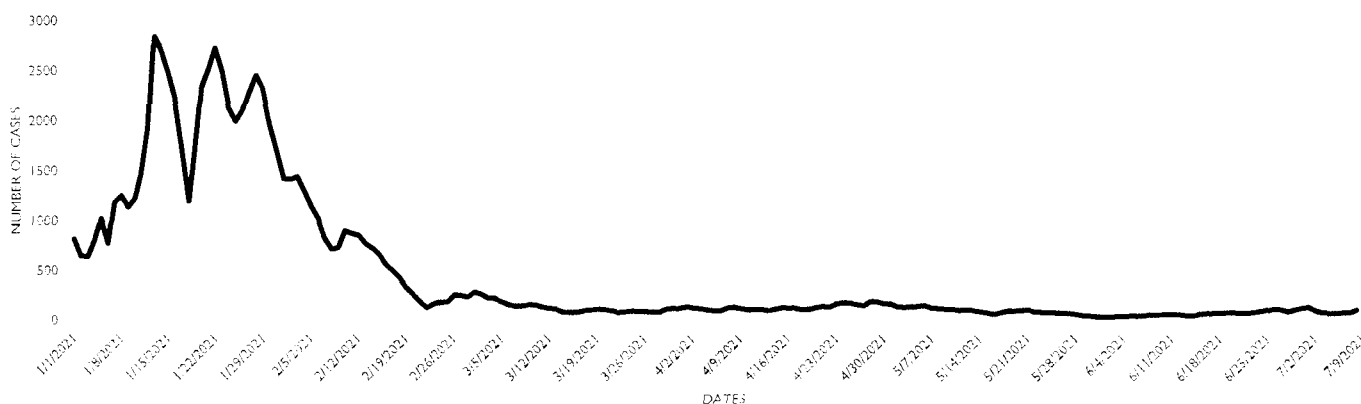


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EXHIBIT
3

COVID-19 DATA AND RESPONSE UPDATE



Confirmed Active Cases since 1/1/2021



Average number of Actives: 459

Highest number of Actives: 2,843 (1/13/2021)

Lowest number of Actives: 36 (6/1/2021 & 6/2/2021)

COVID-19 DATA AND RESPONSE UPDATE



- Confirmed Active Cases Breakdown as of 7/11/2021
 - 139 Active Cases
 - Of the 139 actives, 24 are between the ages of 0-19
 - Of the 139 actives, 110 are between the ages of 20-49
 - Of the 139 actives, 5 are between the ages of above the age of 50
 - Of the 139 actives, 111 (79.85%) are not vaccinated
 - Of the 139, 63 are detainees/migrants.

COVID-19 WEEKLY CASES AND POSITIVITY RATE

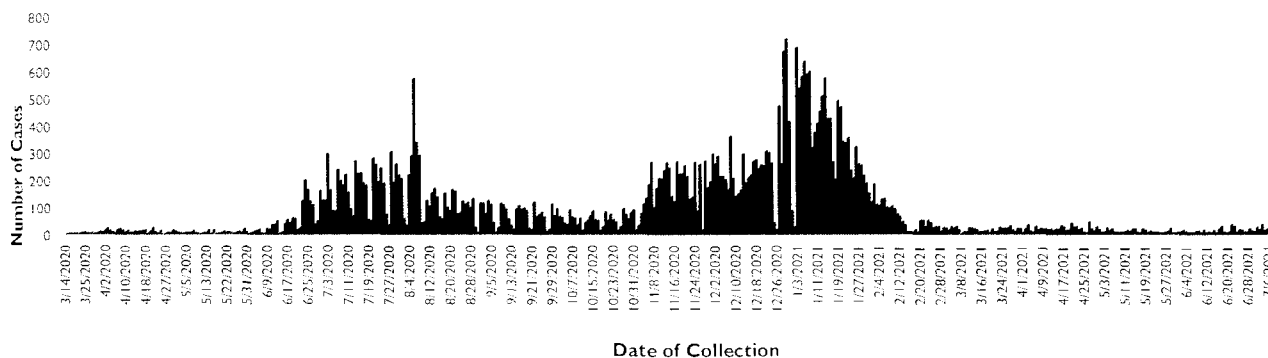


Week	New Positives	Total Tested	Rate
4/4 to 4/10	128	3,693	3.47%
4/11 to 4/17	150	3,614	4.15%
4/18 to 4/24	166	3,748	4.43%
4/25 to 5/1	140	3,220	4.35%
5/2 to 5/8	93	3,309	2.81%
5/9 to 5/15	89	2,527	3.52%
5/16 to 5/22	79	2,420	3.26%
5/23 to 5/29	60	2,054	2.92%
5/30 to 6/5	66	1,706	3.87%
6/6 to 6/12	71	1,987	3.57%
6/13 to 6/19	94	1,772	5.30%
6/20 to 6/26	132	1,692	7.80%
6/27 to 7/3	104	1,800	5.78%

COVID-19 DATA AND RESPONSE UPDATE EPI CURVE (DOC)



EPI Curve Based on Date of Collection

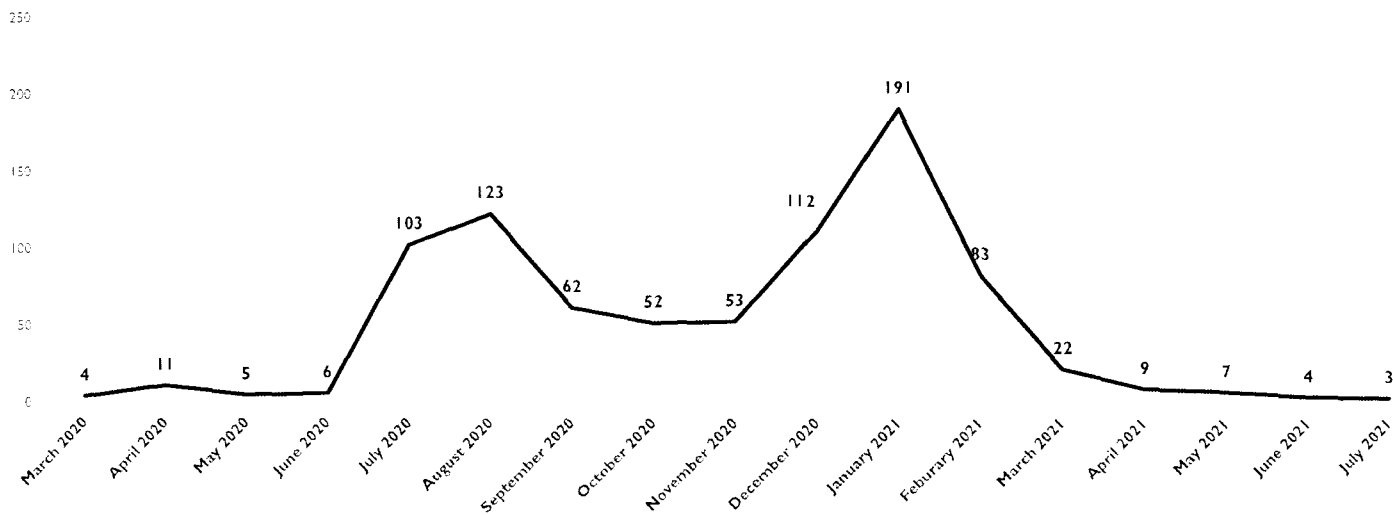


Confirmed total Positives: 44,803

COVID-19 REPORTED DEATHS SINCE MARCH 2020



Reported Deaths Since March 2020



***Total Reported Deaths is 850**

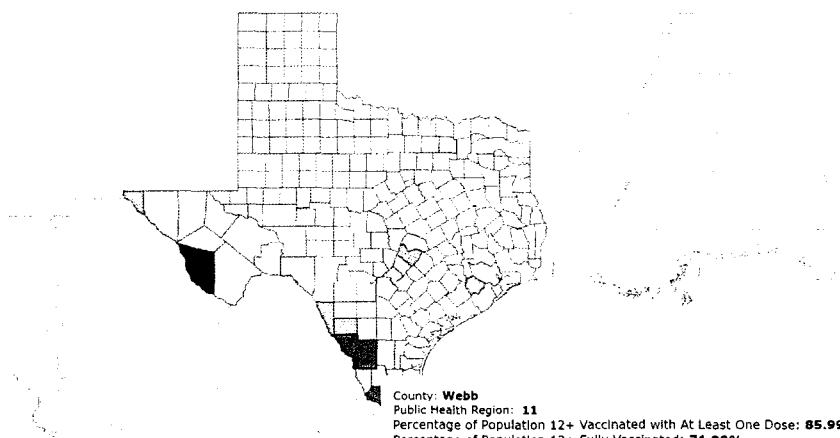
COVID-19 DATA AND RESPONSE UPDATE



COVID-19 DATA AND RESPONSE UPDATE



Percentage of Population Vaccinated for COVID-19



County: **Webb**
Public Health Region: **11**
Percentage of Population 12+ Vaccinated with At Least One Dose: **85.99%**
Percentage of Population 12+ Fully Vaccinated: **71.90%**
Percentage of Population 65+ Vaccinated with At Least One Dose: **92.45%**
Percentage of Population 65+ Fully Vaccinated: **82.29%**

Doses Administered

25,320,155

People Vaccinated

14,131,454

People Fully Vaccinated

12,192,795

State Doses Shipped

21,608,280

Last Updated:
07/11/2021 1:00 pm

As of 1:00pm July 11, 2021



VACCINE AVAILABILITY

MONDAY - SUNDAY (6:00AM – 10:00PM)

- Laredo International Airport

MONDAY - FRIDAY (8:00AM – 6:00PM)

- City of Laredo Health Department

MONDAY - FRIDAY (12:00PM – 6:00PM)

- San Agustin Plaza

MONDAY - FRIDAY (By Appointment)

- Independence Hills Park (Curative.com)

VACCINES AVAILABLE DAILY AT PHARMACIES

WEDNESDAY (10:00AM – 4:00PM)

- 18728 FM 1472 (Mines Rd.)

WEDNESDAY & THURSDAY (9:00AM – 3:00PM)

- Texas A&M International University

SATURDAYS (12:00PM – 6:00PM)

- The Outlet Shoppes of Laredo (2nd Floor Food Court)
- Mall Del Norte (Macy's Home Store)

SUNDAYS (8:00AM – 4:00PM)

- Pulga Blanca Laredo
- Border Town Flea Market

TECOLOTES GAMES (5:00PM – 9:00PM)

- 7/22 – Uni-Trade Stadium
- 7/23 – Uni-Trade Stadium



COVID-19 VACCINE BREAKTHROUGH



- **20** Vaccine Breakthrough Cases recorded
- Note: Updated June 10, 2021, criteria for vaccine breakthrough cases are individuals who are hospitalized or die within two weeks of their SARS-CoV-2 positive test or as a result of COVID-19 disease after being fully vaccinated. **

FOUR THINGS TO KNOW ABOUT COVID-19 VARIANTS



PREVENTABLE



SPREAD MORE EASILY
FROM PERSON-TO-
PERSON



CAUSE Milder OR MORE
SEVERE DISEASE IN
PEOPLE



VIRUSES CONSTANTLY
CHANGE AND BECOME
MORE DIVERSE.

COVID-19 DATA AND RESPONSE UPDATE



- Every new COVID-19 case is considered to be and treated as a highly contagious variant:
 - Investigation/Tracing
 - Isolation/Quarantine
 - Mitigation
- Laredo Health submits specimens for variant testing
- DSHS approves, performs and provides results for variant testing (3-6 week response period).

COVID-19 DATA AND RESPONSE UPDATE



DSHS COVID-19 Variants by TSA Region – July 7, 2021

TSA	B.1.1.7 ALPHA	B.1.351 BETA	B.1.617.2 DELTA	P.1 GAMMA	Total						
A	2	0	0	0	2						
B	7	1	1	0	10						
D	4	0	0	0	4						
E	420	9	7	15	451						
F	2	0	0	0	2						
G	10	0	0	0	10						
H	11	0	0	0	11	Pending patient info from lab	2,552	5	194	123	2,874
I	55	0	0	1	56	Grand Total	5,038	23	219	198	5,478
J	15	0	0	0	15						
K	1	0	0	0	1						
L	95	0	0	0	95						
M	32	0	0	0	32						
N	56	0	0	1	57						
O	210	1	0	1	214						
P	156	1	2	4	163						
Q	937	4	7	35	983						
R	377	1	7	6	391						
S	4	0	0	0	4						
T ★	2	0	0	0	2						

<https://www.dshs.state.tx.us/news/updates.shtm#variants>

COVID-19 DATA AND RESPONSE UPDATE VARIANT SAMPLING DATA



34 Total samples have been submitted to DSHS for variant testing

▪ After 7/02/2021:

▪ 5 from refugees at Holding Institute

▪ 5 from detainees at Rio Grande Detention Center

▪ 1 hospitalized at LMC

▪ 1 hospitalized at DHL

COVID-19 DATA AND RESPONSE UPDATE



Refugee, Immigrant, Migrant (RIM) population

- ☒ Laredo Health conducts active surveillance of COVID-19 and other infectious diseases among this population
- ☒ Laredo Health aids in the implementation of protocols and provides recommendations to prevent the spread of disease amongst those being sheltered and transported
- ☒ Daily epidemiology staff connects with all three shelters
 - ☒ Total count in each facility
 - ☒ New intake count
 - ☒ Count of those COVID-19 positive/quarantined
- ☒ Investigations and health screenings are conducted on each individual.

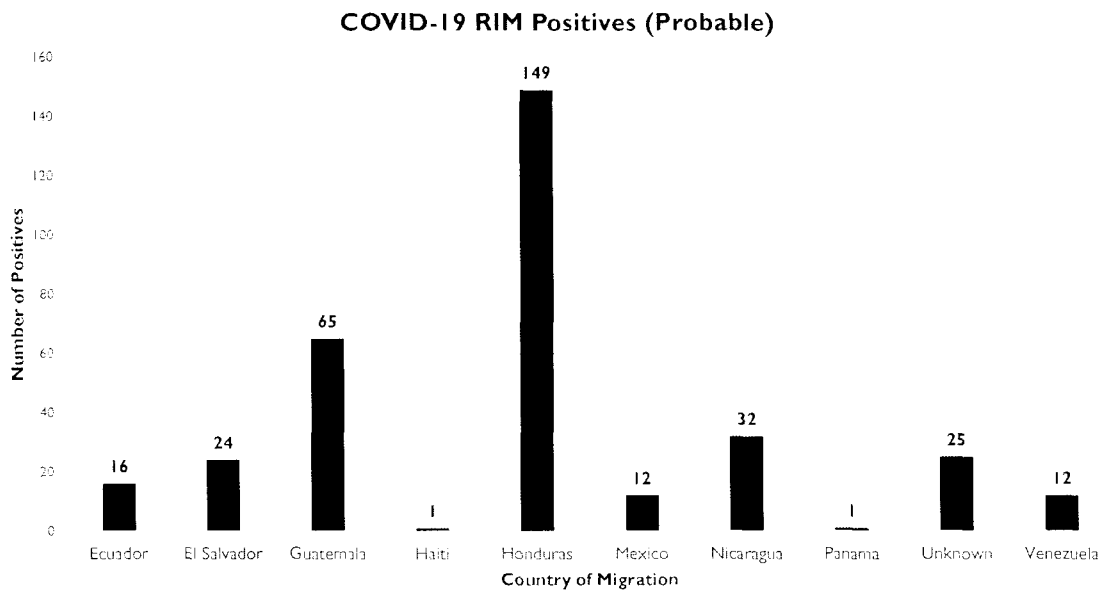


COVID-19 NUMBER OF RIM CASE COUNT BY FACILITY

Cumulative COVID-19 RIM Probable Positives (as of 7/11/2021)

Facility	COVID-19 Probable Positives
Holding Institute	296
Catholic Charities	41
Mercy Ministries	0
	Total Number: 337

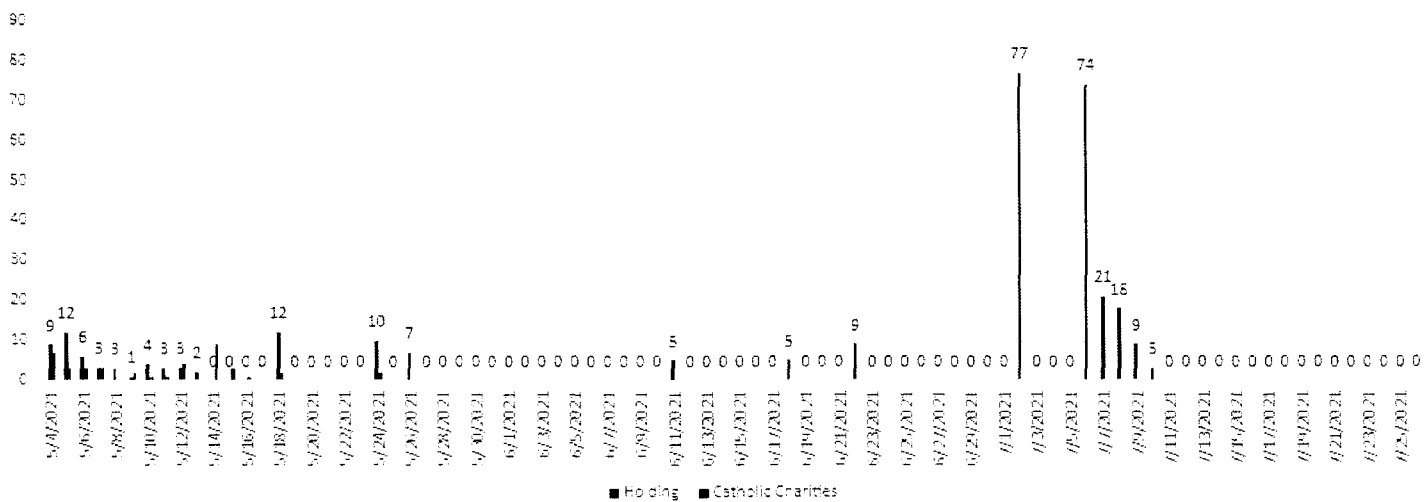
COVID-19 WHERE RIM POPULATION ARE MIGRATING FROM



COVID-19 (PROBABLE) NUMBER OF RIM CASE COUNT



COVID-19 RIM Positives

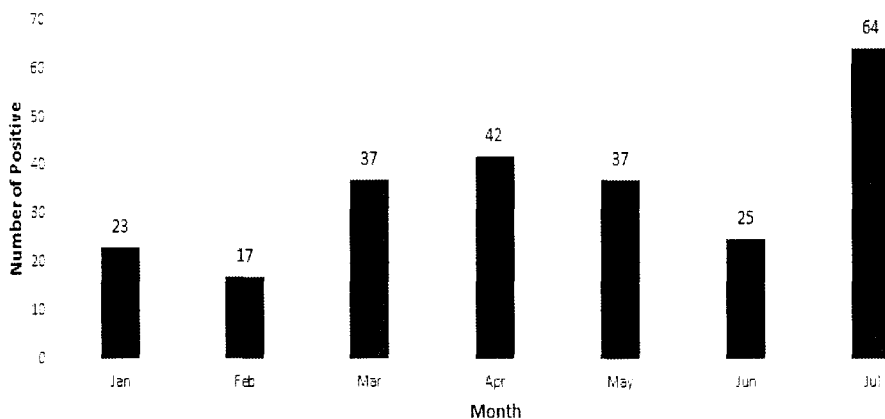


*Does not include Mercy Ministries since their count has always been 0

COVID-19 DETENTION CENTER CONFIRMED POSITIVES IN 2021



2021 Detention Center COVID-19 Confirmed Postivies



- A majority of these individuals are refugees from countries in South America and Central America.
- Total number of Positives: 245

REFUGEE, IMMIGRANT AND MIGRANT UPDATE

- ☛ U.S. Customs and Border Protection
 - ☛ MPP – tested before release
 - ☛ > 25 per day
 - ☛ COVID + not allowed entrance until medically cleared
- ☛ Border Patrol – Laredo Sector
 - ☛ RGV and Del Rio support with releases of legal migrants
 - ☛ RGV – family units (Laredo NGOs)
 - ☛ Del Rio – single adult males (ICE-ERO)

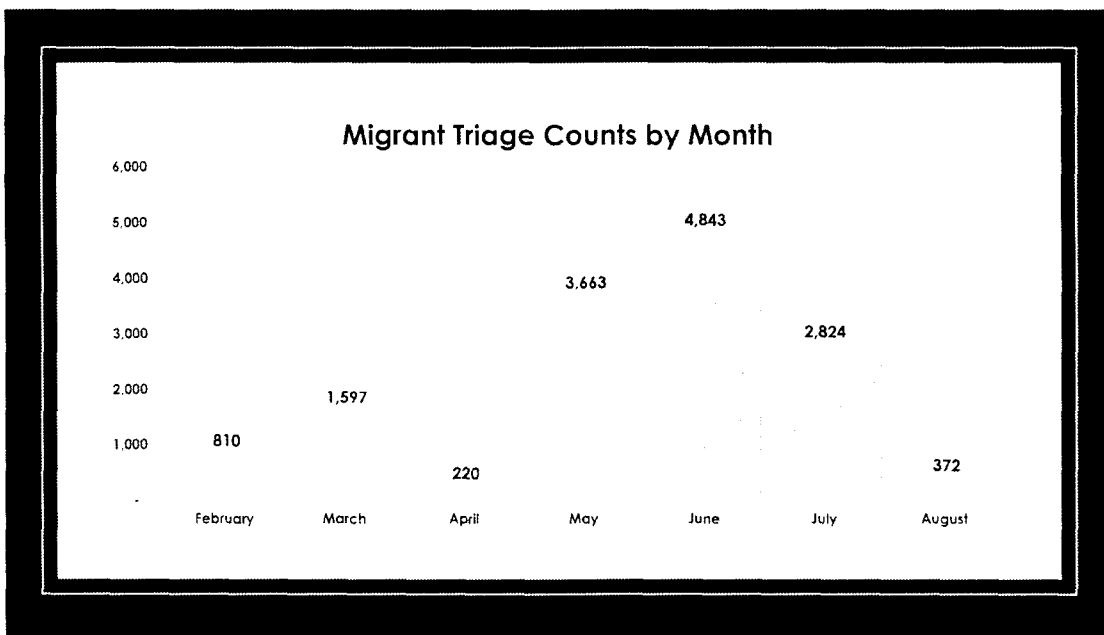
2019 OPERATION



Migrant Response (**Greyhound Station**) – **Public Health**

- Common symptoms seen: fever, rash, cold, headache, cough, sore throat, and skin lesions
- Pregnant women without prenatal care
 - Seen by Health Department medical providers
- Confirmed Influenza Cases
 - Sent to local hospital ER
- Ruled out Mumps

2019 OPERATION



2021 OPERATIONS

- City of Laredo, NGOs (Holding Institute, Catholic Charities and Casa de Misericordia) and Federal Partners coordinating
 - BP coordinated – Primary Location (Holding Institute)
 - CBP – MPP- Catholic Charities
 - Airport and Bus Terminal departures
 - 730 Cities
 - Jan – May – RGV
 - June – Del Rio
 - July – RGV – 6 buses
 - 3 buses temporally

HOLDING INSTITUTE

- Primary Drop Off Location
 - Medical Screened, Tested and Quarantined
 - COVID Immunizations administered – 90 % compliance
- Drop offs after capacity to Bus station and/or bus terminal
- 4 locations

VARA HEALTH

- 24/7 Medical Staff
 - RNs, MAs and Medics
 - Treat minor illness
 - #% need EMS Transport

	Total tested and screened	Positive	% COVID +	% Received Immunization
Start April 26	69	0	0%	86%
May	2021	83	4.1%	94%
June	1784	50	2.8%	94%
July 1 st to 7 th	1230	99	8%	86%
TOTAL	5104	232		90%

CATHOLIC CHARITIES

- Non – COVID RIM Population
- 2 locations
- 24hr to 48hr stays

AIRPORT RIM TRAFFIC

- May – 3,000 migrants
- June – 621 migrants
- July – 761 migrants

ASSISTANCE PROVIDED AND REQUESTED

City Of Laredo

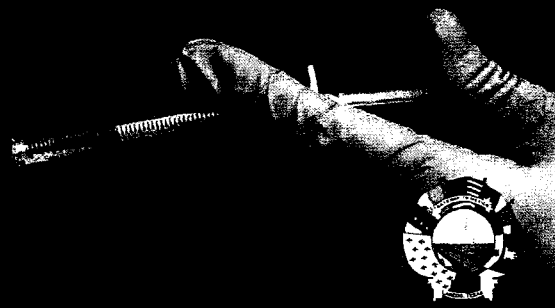
- Support Staff
- Tents
 - 3 tents
 - 4 tents pending
- ESG funding
- Operational Support
- Airport
 - National Guard
 - Immunizations Project

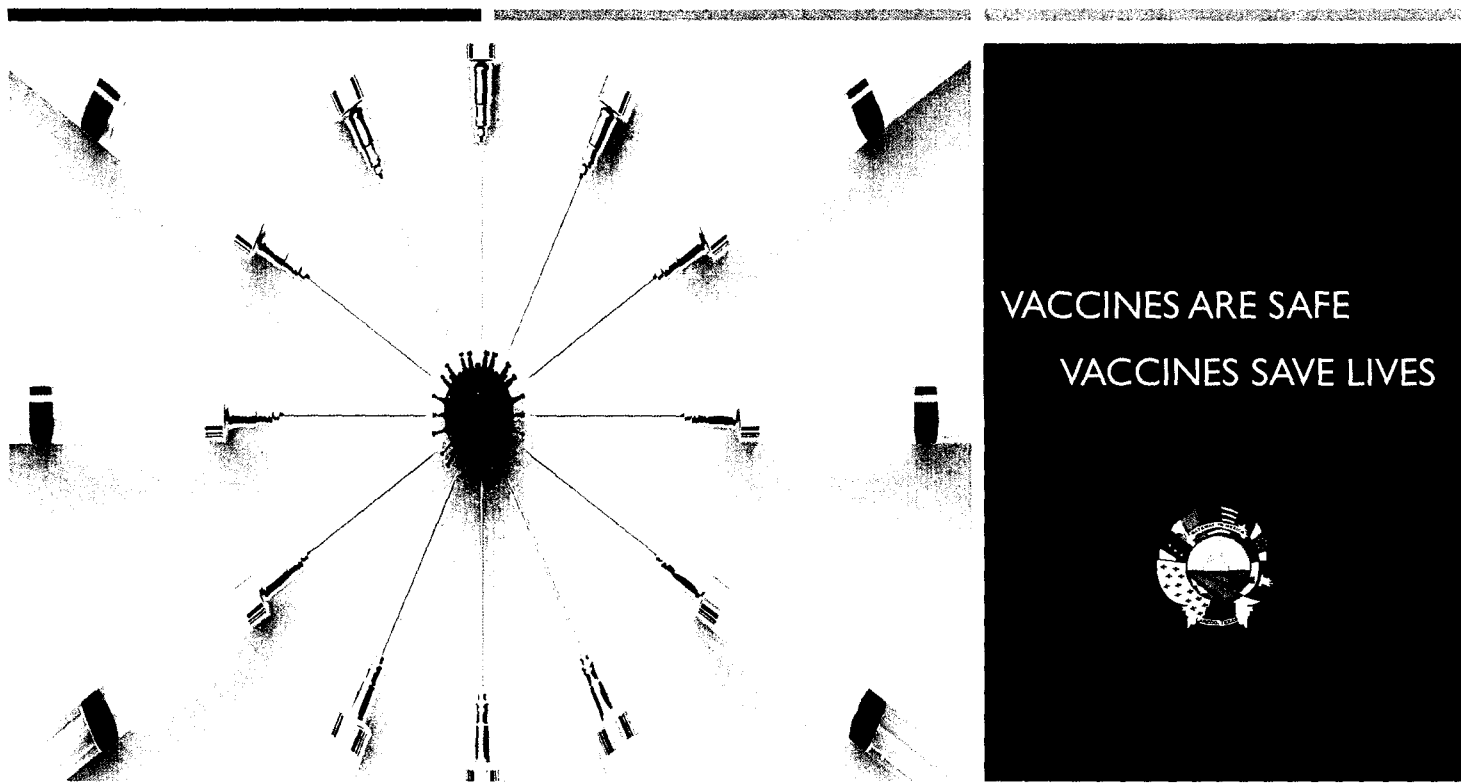
TDEM

- Request
 - COVID testing
- Not filled
 - Medical screening teams
 - Tents
 - Supplies

COVID-19 RESPONSE ACTION PLAN

- **Vaccines - Promote, Procure, Provide**
- **Surveillance - Submitting specimens to DSHS**
- **Hospital Preparedness**
- **RIM/Shelter - Support**
- **Communications - Health Education - Encourage Prevention Measures**





VACCINES ARE SAFE
VACCINES SAVE LIVES





**DECLARATION OF LOCAL DISASTER
FOR PUBLIC HEALTH EMERGENCY FOR
WEBB COUNTY, TEXAS
(COVID-19)**

2021 JUN 16 11:49:50
COUNTY CLERK
WEBB COUNTY TEXAS

WHEREAS, beginning in December 2019, a novel coronavirus, now designated as COVID-19, was detected in mainland China, and the contagious respiratory virus has since spread, globally; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic on March 11, 2020; and

WHEREAS, Texas Governor Greg Abbott declared a state of disaster for the State of Texas on the 13th day of March, 2020, to protect the health and welfare of Texans in relation to the spread of COVID-19; and

WHEREAS, I Tano E. Tijerina, County Judge of Webb County, together with Commissioners Court has determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19; and

NOW THEREFORE, BE IT PROCLAIMED BY TANO E. TIJERINA, COUNTY JUDGE OF WEBB COUNTY:

1. Pursuant to §418.108(a) of the Texas Government Code, a state of disaster for public health emergency is hereby declared for WEBB COUNTY;
2. Pursuant to §418.108(b) of the Texas Government Code, this declaration of a state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the Commissioners Court of Webb County;
3. Pursuant to §418.108(c) of the Texas Government Code this declaration of a state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with Margie Ibarra, as the County Clerk of WEBB COUNTY;



4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a state of disaster for public health emergency activities the Webb County Emergency Management Plan, in addition to implementation of the Webb County Continuity of Operation Plan; and
5. This declaration of a state of disaster for public health emergency shall take effect immediately from and after its issuance.
6. Webb County therefore adopts Exhibit "A" regarding public and private gatherings.

SIGNED THIS 16TH DAY OF MARCH, 2020.

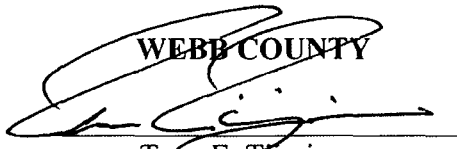

Taso E. Tijerina
Webb County Judge

EXHIBIT “A”
DECLARATION REGARDING PUBLIC AND PRIVATE GATHERINGS

1. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.
2. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Declaration prohibits all indoor public and private gatherings within an enclosed space of 50 persons or more anywhere in Webb County beginning on the day of execution and continuing for as long as reasonably necessary unless extended consistent with requirements of state law.
3. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Centers for Disease Control and Prevention (CDC) and found within the “Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission” issued by the United States Centers for Disease Control and Prevention (“CDC”) on or around March 12, 2020 (available online at www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf, as well as “Interim Guidance: Get Your Mass Gatherings or Large Community Events Ready for Coronavirus Disease 2019 (COVID-19)” issued on or around March 15, 2020 (available online at www.cdc.gov/coronavirus/2019-ncov/downloads/Mass-Gatherings-Document_FINAL.pdf) including canceling, rescheduling, or not attending events with more than 50 persons.
4. Further, organizations that serve high-risk populations (defined below) should follow CDC guidance for social distancing.
5. Definitions and further guidance:
 - a. For purposes of this Declaration, a “Mass Gathering” is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
 - b. A “Mass Gathering” includes events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.

- c. This Declaration also does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, so long as 50 people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space at the same time. For any gathering covered by this subsection c., compliance with Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.

- d. For purposes of clarity, a “Mass Gathering” does not include the following: (i) City of Laredo International Airport; (ii) public or private schools and places of worship; (iii) museums (so long as visitors are generally not within arm’s length of one another for extended periods); (iv) spaces where 50 or more persons may be in transit or waiting for transit such as bus stops; (v) office space, hotels, or residential buildings; (vi) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm’s length of one another for extended periods; (vii) hospitals, medical facilities and shelters; and (viii) jails and detention centers. In all such settings, it is recommended that the public follow Social Distancing Recommendations, and harm reduction measures such as hand sanitizer and tissues should be provided when possible. However, any specific large gathering space that is part of any building included in this subparagraph d. is subject to the prohibition on Mass Gatherings if the space holds 50 or more people.

- e. “High-Risk Populations” include people who are:
 - i. 60 years old and older;
 - ii. People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
 - iii. People who are pregnant or were pregnant in the last two weeks;
 - iv. People experiencing homelessness.

DECLARATION OF PUBLIC HEALTH EMERGENCY

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

WHEREAS, the identification of “community spread” cases of COVID-19 in the United States signals that transmission of the virus is no longer strictly limited to travel to China, or contact with travelers who have visited China; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Laredo, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated, request assistance from the governor of state resources, and access funds available for disaster relief and reimbursement at the state and federal level; and

WHEREAS, by this Declaration of Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I hereby authorize the use of all available resources of state government and political subdivisions to assist in the City’s response to the situation; and

WHEREAS, I, Pete Saenz, Mayor for the City of Laredo, together with the Laredo City Council have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19; and

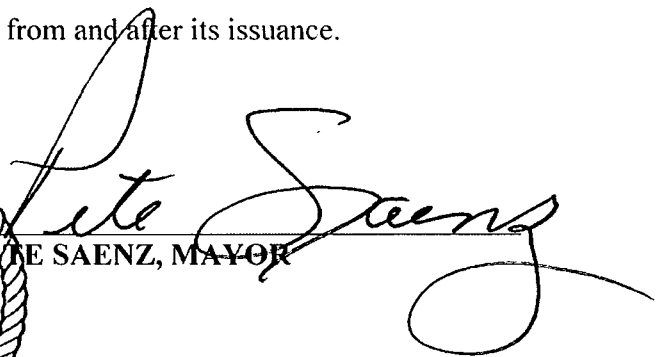
WHEREAS, the City of Laredo will continue to work collaboratively with Webb County as well as the local health authority to ensure that all appropriate measures are undertaken to limit the spread of COVID-19 within the City of Laredo and Webb County.

NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY OF LAREDO THAT:

- (1) That a local state of disaster and public health emergency is hereby declared for the City of Laredo pursuant to §418.108(a) of the Texas Government Code.
- (2) Pursuant to §418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council.
- (3) Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly by the City Secretary.
- (4) Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Laredo's emergency management plan.
- (5) Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to commandeer or use and private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, treating patients or for other related emergency activities subject to compensation requirements.
- (6) Pursuant to the Texas Disaster Act of 1975, the Mayor for the City of Laredo, in coordination and consultation with the Local Health Authority and Director of Health issue further guidance set out within the Declaration Regarding Public and Private Gatherings attached hereto as **Exhibit "A"**, and incorporated herein.
- (7) The Local Health Authority or Director of Health may update restrictions set out in **Exhibit "A"** as necessary to respond to the evolving circumstances of this outbreak without the issuance of a new Declaration.
- (8) As Mayor, I further reserve all other authority and powers conferred by state law to respond and exercise same as necessary to the situation which is the subject of this Declaration.

This Proclamation shall take effect immediately from and after its issuance.

SIGNED 16th DAY OF MARCH, 2020.


PETE SAENZ, MAYOR




EXHIBIT “A”
DECLARATION REGARDING PUBLIC AND PRIVATE GATHERINGS

1. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.
2. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Declaration recommends a protocol that prohibits all indoor public and private gatherings within an enclosed space of 50 persons or more anywhere in the City of Laredo beginning on the day of execution and continuing for as long as reasonably necessary unless extended consistent with requirements of state law.
3. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Centers for Disease Control and Prevention (CDC) and found within the “Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission” issued by the United States Centers for Disease Control and Prevention (“CDC”) on or around March 12, 2020 (available online at www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf, as well as “Interim Guidance: Get Your Mass Gatherings or Large Community Events Ready for Coronavirus Disease 2019 (COVID-19)” issued on or around March 15, 2020 (available online at www.cdc.gov/coronavirus/2019-ncov/downloads/Mass-Gatherings-Document_FINAL.pdf) including canceling, rescheduling, or not attending events with more than 50 persons.
4. Further, organizations that serve high-risk populations (defined below) should follow CDC guidance for social distancing.
5. Definitions and further guidance:
 - a. For purposes of this Declaration, a “Mass Gathering” is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
 - b. A “Mass Gathering” includes events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.

- c. This Declaration also does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, so long as 50 people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space at the same time. For any gathering covered by this subsection c., compliance with Social Distancing Recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly touched surfaces is strongly encouraged.
 - d. For purposes of clarity, a “Mass Gathering” does not include the following: (i) City of Laredo International Airport; (ii) public or private schools and places of worship; (iii) museums (so long as visitors are generally not within arm’s length of one another for extended periods); (iv) spaces where 50 or more persons may be in transit or waiting for transit such as bus stops; (v) office space, hotels, or residential buildings; (vi) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm’s length of one another for extended periods; (vii) hospitals, medical facilities and shelters; and (viii) jails and detention centers. In all such settings, it is recommended that the public follow Social Distancing Recommendations, and harm reduction measures such as hand sanitizer and tissues should be provided when possible. However, any specific large gathering space that is part of any building included in this subparagraph d. is subject to the prohibition on Mass Gatherings if the space holds 50 or more people.
 - e. “High-Risk Populations” include people who are:
 - i. 60 years old and older;
 - ii. People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
 - iii. People who are pregnant or were pregnant in the last two weeks;
 - iv. People experiencing homelessness.
6. The Health Director may update restrictions set out in this Exhibit as necessary to respond to the evolving circumstances of this outbreak during the duration of the Mayor’s Declaration of Public Health Emergency and any extension by the City of Laredo City Council.

CIVIL COVER SHEET

JS 44 (Rev. 04/21)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

City of Laredo

(b) County of Residence of First Listed Plaintiff Webb
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Alyssa J. Castillon, 1110 Houston Street, 3rd Floor,
Laredo, Texas 78040, Tel. (956) 791-7319, Fax: (956)
791-7494. acastillon@ci.laredo.tx.us

DEFENDANTS

The UNITED STATES OF AMERICA, UNITED STATES
DEPARTMENT OF HOMELAND SECURITY, et al. **RECEIVED**
Southern District of Texas
County of Residence of First Listed Defendant

NOTE: IN LAND CONDEMNATION CASES, USE TO LOCATE THE TRACT OF LAND INVOLVED. **JUL 16 2021 RG**

Attorneys (If Known) **Nathan Ochsner, Clerk
Laredo Division**

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 625 Drug Related Seizure	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> of Property 21 USC 881	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 690 Other	INTELLECTUAL PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability		<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine		<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability		<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 350 Motor Vehicle	LABOR	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor Management Relations	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/Exchange
		<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habeas Corpus:	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 871 IRS—Third Party	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 530 General	<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input checked="" type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	Other:		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	<input type="checkbox"/> 535 Death Penalty		
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	IMMIGRATION	
		<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 462 Naturalization Application	
		<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 465 Other Immigration Actions	
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
5 U.S.C. Sections 706

Brief description of cause:
Application for an Emergency TRO, Preliminary Injunction, Permanent Injunction, Request for Emergency Hearing on TRO related to agency action

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. **DEMAND \$** _____ **CHECK YES only if demanded in complaint:**
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

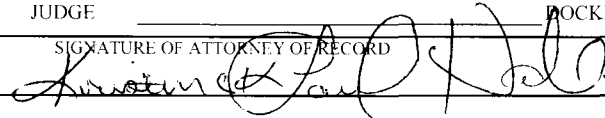
JUDGE _____

DOCKET NUMBER _____

DATE

SIGNATURE OF ATTORNEY OF RECORD

Jul 16, 2021



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG JUDGE _____