

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals
Fifth Circuit

FILED

July 10, 2026

Lyle W. Cayce
Clerk

No. 26-50183

IGNACIO SOSNAVA RODRIGUEZ,

Petitioner—Appellee,

versus

SYLVESTER M. ORTEGA, *in his official capacity as Director of the San Antonio Field Office of ICEs Enforcement and Removal Operations*; MARKWAYNE MULLIN, *Secretary, U.S. Department of Homeland Security*; TODD WALLACE BLANCHE, *Acting U.S. Attorney General*; DEPARTMENT OF HOMELAND SECURITY; DOJ EXECUTIVE OFFICE FOR IMMIGRATION REVIEW,

Respondents—Appellants,

CONSOLIDATED WITH

26-50219

ALEJANDRO VILLEGAS ANGEL

Petitioner—Appellee,

versus

MARKWAYNE MULLIN, *Secretary, U.S. Department of Homeland Security*; TODD WALLACE BLANCHE, *Acting U.S. Attorney General*; MIGUEL VERGARA, *San Antonio Field Office Director for Enforcement and*

Removal; UNITED STATES DEPARTMENT OF HOMELAND
SECURITY; UNITED STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT; EXECUTIVE OFFICE FOR IMMIGRATION
REVIEW, *Office of the General Counsel*,

Respondents—Appellants,

CONSOLIDATED WITH

26-50221

MIGUEL ANGEL GOMEZ ALVARADO,

Petitioner—Appellee,

versus

MIGUEL VERGARA, *in his official capacity as the Acting Director of San
Antonio Field Office for U.S. Immigration and Customs Enforcement*; TODD
LYONS, *in his capacity as the Acting Director for the U.S. Immigration and
Customs Enforcement*; MARKWAYNE MULLIN, *Secretary, U.S.
Department of Homeland Security*,

Respondents—Appellants.

Appeals from the United States District Court
for the Western District of Texas
USDC Nos. 1:26-CV-273, 1:26-CV-384,
1:26-CV-309

ON PETITION FOR REHEARING EN BANC

(Opinion July 02, 2026, 5 Cir., 2026 WL 1906557)

Before ELROD, *Chief Judge*, and JONES, SMITH, STEWART, RICHMAN, SOUTHWICK, HAYNES, GRAVES, HIGGINSON, WILLETT, HO, DUNCAN, ENGELHARDT, OLDHAM, WILSON, DOUGLAS, and RAMIREZ, *Circuit Judges*.

PER CURIAM:

A majority of the circuit judges in regular active service and not disqualified having voted in favor, on the Court's own motion, to rehear this case en banc,

IT IS ORDERED that this cause shall be reheard by the court en banc with oral argument on a date hereafter to be fixed. The Clerk will specify a briefing schedule for the filing of supplemental briefs. Pursuant to 5th Circuit Rule 41.3, the panel opinion in this case dated July 02, 2026, is VACATED.