

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

**CRISTIAN ARGUETA ANDRADE,**

*Petitioner,*

v.

**JUAN BALTAZAR**<sup>1</sup>, Warden of the Aurora  
Contract Detention Facility owned and  
operated by GEO Group, Inc.;

**ROBERT HAGAN**<sup>2</sup>, Field Office  
Director, Denver Field Office, U.S.  
Immigration and Customs Enforcement;

**KRISTI NOEM**, Secretary, U.S. Department  
of Homeland Security;

**TODD M. LYONS**, Acting Director of  
Immigration and Customs Enforcement  
(ICE);

**PAM BONDI**, Attorney General, U.S.  
Department of Justice.

*Respondents.*

**Case No. 1:25-cv-01983-DDD**

**PETITIONER'S UNOPPOSED  
MOTION PURSUANT TO FRCP  
15 FOR LEAVE TO  
SUPPLEMENT PETITIONER'S  
VERIFIED PETITION FOR WRIT  
OF HABEAS CORPUS AND  
COMPLAINT FOR  
DECLARATORY AND  
INJUNCTIVE RELIEF**

**INTRODUCTION**

Pursuant to Fed.R.Civ.P. 15(d), Petitioner, Cristian Argueta Andrade, respectfully moves this court for leave to file a supplement to his Verified Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief. The supplement is attached hereto as Exhibit 1. Respondents do not oppose this motion.

<sup>1</sup> Party updated pursuant to the federal rules of civil procedure. Fed. R. Civ. P. 25(d).

<sup>2</sup> Party updated pursuant to the federal rules of civil procedure. Fed. R. Civ. P. 25(d).

### **FACTUAL BACKGROUND**

On June 26, 2025, Mr. Argueta Andrade filed a verified petition for writ of habeas corpus and complaint for declaratory and injunctive relief (the “petition”). Since filing the petition, several events of note have occurred regarding Mr. Argueta Andrade’s immigration case.

Mr. Argueta Andrade’s immigration matter is pending before the Tenth Circuit, which has stayed his deportation. On July 16, 2026, the Board of Immigration Appeals (“BIA”) affirmed the immigration judge’s decision denying Mr. Argueta Andrade relief under the convention against torture. On July 19, 2025, Mr. Argueta Andrade filed a petition for review at the Tenth Circuit. On August 6, 2025, Mr. Argueta Andrade also filed a motion to reopen and a motion to reconsider with the BIA. On September 16, 2025, the Tenth Circuit granted a stay of removal. On September 25, 2025, the Tenth Circuit granted an abeyance due to the pending motions before the BIA.

Respondents do not oppose this motion. Petitioner files this supplemental pleading in advance of the Court’s deadline to show cause, and the parties anticipate seeking an updated briefing schedule from the Court.

### **LEGAL STANDARD**

Fed.R.Civ.P. 15(d) states “on motion and reasonable notice, the court may, on just terms, permit a party to serve a supplemental pleading setting out any transaction, occurrence, or event that happened after the date of the pleading to be supplemented.” The Tenth Circuit has held that

“authorization to supplement pleadings ‘should be liberally granted unless good reason exists for denying leave, such as prejudice to the defendants.’” *Carter v. Bigelow*, 787 F.3d 1269 (10th Cir. 2015) (quoting *Walker v. United Parcel Serv., Inc.*, 240 F.3d 1268, 1278 (10th Cir.2001)).

Here, granting Mr. Argueta Andrade’s motion for leave to supplement his petition is appropriate because respondents have agreed not to oppose Mr. Argueta Andrade’s motion, the motion is on reasonable notice, and the supplement sets out relevant events that took place after the petition was filed.

### CONCLUSION

Mr. Argueta Andrade respectfully requests that this Court grant his motion for leave to supplement his petition.

DATED this 2 of February, 2026.

Respectfully submitted,  
/s/ Elizabeth Jordan  
Elizabeth Jordan, Esq.  
University of Denver Sturm College of Law  
Pro Bono Counsel for Petitioner

### CERIFICATE OF SERVICE

I, Elizabeth Jordan, certify that on February 2, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following recipients by e-mail:

Nick Deuschle  
Assistant United States Attorney  
1801 California Street, Suite 1600  
Denver, Colorado 80202  
Nick.Deuschle@usdoj.gov  
Telephone: (303) 454-0100

Fax: (303) 454-0407  
Counsel for Respondents

/s/Elizabeth Jordan  
Elizabeth Jordan  
Pro Bono Counsel for Petitioner