

1 SIGAL CHATTAH
2 Acting United States Attorney
3 District of Nevada
4 Nevada Bar No. 8264

5 SUMMER A. JOHNSON
6 Assistant United States Attorney
7 501 Las Vegas Blvd. So., Suite 1100
8 Las Vegas, Nevada 89101
9 Phone: (702) 388-6336
10 Fax: (702) 388-6787
11 *summer.johnson@usdoj.gov*

12 *Attorneys for the Federal Respondents*

13 **UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

15 Hugo Gil Candido-Bolanos,

16 Case No. 2:25-cv-1359-RFB-EJY

17 Petitioner,

18 **Federal Respondents' Limited Response**
19 **to Petitioner's Motion for Adjudication**
20 **of Unresolved Constitutional Claim,**
21 **ECF No. 38**

22 v.
23 John Mattos, Todd M. Lyons, and Kristi
24 Noem,

25 Respondents.

26 Federal Respondents, through undersigned counsel, respectfully submit this Limited
27 Response regarding Petitioner's Motion for Adjudication of Unresolved Constitutional
28 Claim, ECF No. 38 ("Motion for Adjudication").

29 Following Petitioner's filing of the Motion for Adjudication, on October 8, 2025,
30 the Court issued an order enjoining the Government from removing Petitioner from the
31 District of Nevada until the Executive Office for Immigration Review ("EOIR") renders a
32 decision on Petitioner's motion to reopen removal proceedings. The Court further stated
33 that "until then, the Court need not reach the merits of Petitioner's procedural due process
34 claim, as it may very well be mooted." ECF No. 39.

35 Since that order, Petitioner has informed the Court that EOIR denied his motion to
36 reopen and that he is now seeking further relief before the Board of Immigration Appeals
37 ("BIA"). ECF No. 41.

In light of these ongoing administrative proceedings, it is uncertain whether the constitutional issues raised in Petitioner's motion are presently ripe for judicial resolution or may instead be rendered moot or modified by subsequent developments before the BIA. In addition, Petitioner's pending Motion to Amend his habeas petition (ECF No. 41) may more appropriately frame or consolidate the issues for the Court's consideration once it is resolved.

Accordingly, the Government does not submit a substantive response at this time but respectfully preserves its right to address the merits should the Court determine that further briefing is necessary or appropriate following resolution of the motion to amend or related administrative actions.

Respectfully submitted this 22nd day of October, 2025.

SIGAL CHATTAH
Acting United States Attorney

/s/ *Summer A. Johnson*
SUMMER A. JOHNSON
Assistant United States Attorney