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7 *Attorneys for the Federal Respondents*

8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 Hugo Gil Candido-Bolanos,

11 Petitioner,

12 v.

13 John Mattos, Todd M. Lyons, and Kristi
Noem,

14 Respondents.
15

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

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

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

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

25 Since that order, Petitioner has informed the Court that EOIR denied his motion to
26 reopen and that he is now seeking further relief before the Board of Immigration Appeals
27 ("BIA"). ECF No. 41.
28

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

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

11 Respectfully submitted this 22nd day of October, 2025.

12 SIGAL CHATTAH
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14 /s/ Summer A. Johnson
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