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12 *Attorneys for the Federal Respondents*

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

15 MARLON OMAR BACA BELTRAND,

16 Petitioner,

17 v.

18 Jason KNIGHT, Acting Las Vegas/Salt  
Lake City Field Office Director,  
19 Enforcement and Removal Operations,  
United States Immigration and Customs  
20 Enforcement (ICE); et al.,

21 Respondents.

Case No. 2:25-cv-01430-CDS-EJY

**Joint Status Report Regarding  
Compliance with ECF No. 54**

22 Marlon Omar Baca Beltrand (“Baca Beltrand” or “Petitioner”) and the Federal  
23 Respondents, through their respective undersigned counsel, hereby submit this Joint Status  
24 Report to certify compliance with the Court’s Order dated November 14, 2025 (ECF No.  
25 54).

26 The Court granted the Amended Petition for Writ of Habeas Corpus (ECF No. 41)  
27 and ordered, *inter alia*, the Federal Respondents to (1) follow the Immigration Judge’s order  
28

1 granting Petitioner's request to be released on bond and (2) permit Petitioner to post bond.  
2 ECF No. 54.

3 The parties hereby confirm that Petitioner was released from ICE custody on  
4 November 20, 2025, and he was able to post the required bond.

5 Although Petitioner has been released, Petitioner's counsel has expressed concerns  
6 that on November 20, 2025, the Board of Immigration Appeals ("BIA") issued a decision  
7 vacating the Immigration Judge's July 22, 2025, decision ordering Petitioner released from  
8 custody on bond. The BIA reasoned that the Immigration Judge lacked authority over  
9 Petitioner's bond request under the precedential BIA decision in *Matter of Yajure Hurtado*, 29  
10 I&N Dec. 216, 220-28 (BIA 2025). Further, Petitioner is concerned that the joint motion  
11 requesting that the BIA remand Petitioner's removal proceedings is currently pending and  
12 remains unresolved since its filing on October 3, 2025.

13 The Federal Respondents, in turn, first respectfully submit that the Court's Order  
14 (ECF No. 54) has already found that "[b]ecause § 1225(b) does not apply to aliens who are  
15 already present in the country, it does not apply to Beltrand." ECF No. 54, at 6. Undersigned  
16 counsel is not currently aware of any plans to redetain Petitioner as a result of the BIA's  
17 November 20, 2025, decision regarding Petitioner's bond redetermination.

18 Second, the Federal Respondents recognize that the concerns raised by Petitioner  
19 regarding the pending motion to remand are, in part, legitimate issues that need to be  
20 resolved by the BIA and the Immigration Court. However, the Federal Respondents also  
21 respectfully submit that resolution of these issues is beyond the scope of a habeas corpus  
22 petition and the Court's Order (ECF No. 54). Even so, as a courtesy, undersigned counsel  
23 for the Federal Respondents agreed to request that the Department of Homeland Security  
24 follow up with the BIA regarding the status of the joint motion so that removal proceedings  
25 may proceed as anticipated.

26 The Federal Respondents thus do not believe the two issues raised above alter  
27 compliance with the Court's Order or otherwise affect resolution of the case at bar.  
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1 Respectfully submitted this 5th day of December 2025.

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4 STOWELL CRAYK PLLC

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5  
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/s/ Christian R. Ruiz  
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