

1 **HARDEEP SULL**

2 Sull and Associates, PLLC  
3 3753 Howard Hughes Parkway, Suite 200  
4 Las Vegas, NV 89169  
5 Phone: (702) 953-9500  
6 Email: [dee@sullglobal.com](mailto:dee@sullglobal.com)  
7 *Local Counsel for Petitioner*

8 **NICOLE DERDEN**

9 Law Offices of Nicoel Derden  
10 3332 N Meridian Rd.  
11 Meridian, ID 83646  
12 Phone: (208) 287-4200  
13 Email: [nicole@idahoimmigration.com](mailto:nicole@idahoimmigration.com)  
14 *Counsel for Petitioner*

15 **UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 **ALVARADO GONZALEZ, EDUARDO,**  
18 **Petitioner,**

19 vs.

20 **John Mattos,** Warden of the Southern Detention  
21 Center,

22 **Jason Knight,** Director of the Salt Lake City  
23 U.S. Immigration and Customs Enforcement Field  
24 Office,

25 **Kristi Noem,** Secretary of the U.S.  
26 Department of Homeland Security; and

27 **Pam Bondi,** US Attorney General,

28 **Respondents**

Case No.: 2:25-cv-01599-JAD-NJK

**PETITIONER'S OPPOSITION TO  
MOTION FOR EXTENSION OF TIME  
TO RESPOND TO PETITION FOR WRIT  
OF HABEAS CORPUS**

1 Petitioner, Eduardo Alvarado Gonzalez, by and through undersigned counsel, respectfully  
2 submits this Opposition to Federal Respondents' Motion for Extension of Time to Respond to  
3 the Petition for Writ of Habeas Corpus (ECF No. 13).  
4

5 Petitioner opposes this request because Respondents' extension would cause undue  
6 prejudice to Petitioner, who remains in detention while awaiting resolution of urgent  
7 constitutional claims. While Federal Rule of Civil Procedure 6(b)(1)(A) permits extensions "for  
8 good cause", they should not be automatic, especially where liberty interests are at stake and  
9 prejudice is clear. In this case, the prejudice to the Petitioner is not only clear, but severe.  
10

11 Petitioner has been in the unlawful custody of the Department of Homeland Security,  
12 Immigration and Customs Enforcement (DHS) since September 3, 2025, when an Immigration  
13 Judge granted him a bond for his release. The DHS' invocation of an automatic stay pending  
14 appeal via C.F.R. section 1003.19(i)(2) of the Immigration Judge's custody redetermination,  
15 which ordered Petitioner's released on bond, to continue to detain him violates his procedural  
16 due process rights, both facially and as applied. The bond has been tendered and rejected twice  
17 by DHS.  
18

19 At his September 3, 2025, bond hearing, the Petitioner was found to not be a danger to  
20 his community; he has wife and children to financially support, and DHS has granted him work  
21 authorization until 2030.  
22

23 DHS has taken the blatantly unlawful position that the Petitioner – and those factually  
24 situated like him - are subject to mandatory detention under INA 235 when, in fact, the  
25 Petitioner's bond was and continues to be authorized under INA 236. It is precisely because of  
26 DHS's new unlawful, extreme, and unusual interpretations of the INA that the Respondents are  
27 dealing with "nine petitions for writ of habeas corpus – all [for briefing] within the next 20  
28 PETITIONER'S OPPOSITION TO MOTION FOR EXTENSION OF TIME TO RESPOND TO PETITION FOR  
WRIT OF HABEAS CORPUS - 2

1 days.” The government’s internal workload, especially when created by unlawful government  
2 policies, should not outweigh the constitutional rights of a detained individual. Moreover,  
3 Petitioner’s counsel explicitly declined to stipulate to the extension, underscoring the urgency of  
4 the matter.  
5

6 For the foregoing reasons, Petitioner respectfully requests that the Court deny Federal  
7 Respondents’ Motion for Extension of Time and require Respondents to file their response by  
8 the original deadline of September 30, 2025.  
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10 Respectfully submitted this 26<sup>th</sup> day of September 2025,  
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16 \_\_\_\_\_  
17 HARDEEP SULL

18 /s/ Nicole Derden  
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20 NICOLE DERDEN  
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*Attorneys for Petitioner Eduardo Alvarado Gonzalez*

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PETITIONER'S OPPOSITION TO MOTION FOR EXTENSION OF TIME TO RESPOND TO PETITION FOR WRIT OF HABEAS CORPUS - 4