

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 25-cv-02720-RMR

NESTOR ESAI MENDOZA GUTIERREZ, for himself and on behalf of themselves and others similarly situated,

Petitioner-Plaintiff,

v.

JUAN BALTASAR, Warden, Denver Contract Detention Facility, Aurora, Colorado, in his official capacity;
ROBERT HAGAN, Director of the Denver Field Office for U.S. Immigration and Customs Enforcement, in his official capacity;
KRISTI NOEM, Secretary of the U.S. Department of Homeland Security, in her official capacity;
TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity;
PAMELA BONDI, Attorney General of the United States, in her official capacity;
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW;
SIRCE OWEN, Acting Director for Executive Office of Immigration Review, in her official capacity;
U.S. DEPARTMENT OF HOMELAND SECURITY;
AURORA IMMIGRATION COURT; and,
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,

Respondents-Defendants.

RESPONSE TO ECF NO. 60

In accordance with the Court's order, ECF No. 60, Respondents provide the following information in support of the emergency motion, ECF No. 59. Rolando Zambrano-Nabor is 26 years old. Steven Matamba Molina is 29 years old. Immigration and Customs Enforcement ("ICE") does not have an anticipated date of return to the District of Colorado for either Mr. Zambrano or Mr. Matamba, as the timing of their

return will depend on how their treatment progresses at the receiving facilities.

Respondents have provided the other information sought by the Court at ECF No. 61 under a Level 2 restriction, restricting access to Respondents and the Court, because it is not clear at this time that Mr. Zambrano or Mr. Matamba would consent to having their private medical information provided to class counsel.

Respondents have attached a proposed order to this filing.

Dated: December 11, 2025

PETER MCNEILLY
United States Attorney

s/ Benjamin Gibson

Benjamin Gibson

Brad Leneis

Assistant United States Attorneys

1801 California Street, Suite 1600

Denver, Colorado 80202

Telephone: (303) 454-0100

benjamin.gibson@usdoj.gov

brad.leneis2@usdoj.gov

Attorneys for Respondents-Defendants
Executive Office of Immigration Review,
U.S Department of Homeland Security,
Aurora Immigration Court, and U.S.
Immigration and Customs Enforcement,
and Juan Baltasar, Robert Hagan, Kristi
Noem, Todd Lyons, Pamela Bondi, and
Sirce Owen in their official capacities

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record.

s/ Benjamin Gibson
Benjamin Gibson
U.S. Attorney's Office