

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 25-cv-3017-GPG

KHRISTYNE BATZ BARRENO,

Petitioner,

v.

JUAN BALTAZAR, *et al.*,

Respondents.

NOTICE OF RELATED CASE PURSUANT TO L.R. 3.2

COMES NOW Petitioner, through counsel, and respectfully submits this Notice of Related Case pursuant to D. Colo. L. R. 3.2.

1. D. Colo. L. R. 3.2(a) provides that a "party to a case shall file a notice identifying all cases pending in this ... jurisdiction that are related to the case." Subsection (b) defines "[r]elated cases" as "cases that have common facts and claims and ... have at least one party in common."

2. The Respondents in this case are the same as those in *Mendoza Gutierrez v. Baltazar*, 25-cv-2720-RMR, a putative class-action suit currently pending before another court in this district. And Respondents' Response to Ms. Batz's habeas petition (Dkt. 14), filed on October 17, 2025, makes evident that this case and that one share overlapping factual and legal questions such that the two cases are related for purposes of L. R. 3.2.

3. Ms. Batz filed her Verified Petition in this case (Dkt. 1) on September 25,

2025, seeking “a constitutionally adequate bond hearing.” Dkt. 1 at ¶ 1. Her petition argues generally that she was detained pursuant to 8 U.S.C. § 1226(a) and seeks a bond hearing at which Respondents bear the burden to show by clear and convincing evidence that her continued detention is warranted. *See, e.g., L.G. v. Choate*, 744 F. Supp. 3d 1172 (D. Colo. 2024) (granting such a bond hearing to a petitioner detained under § 1226(a)).

4. In their Response to the Petition (Dkt. 14), Respondents argue instead that “[DHS] is detaining Petitioner under a statutory provision, 8 U.S.C. § 1225(b)(2)(A). Noncitizens detained under this section, like Petitioner, are ordinarily not eligible for bond hearings.” Dkt. 14 at 1.

5. *Mendoza Gutierrez v. Baltazar*, 25-cv-2720-RMR, was filed on August 29, 2025 as a putative class action, seeking classwide relief on behalf of all noncitizens with proceedings before immigration courts within the District of Colorado who are claimed to be detained under § 1225(b)(2). *See Mendoza Gutierrez*, Dkt. 6, at ¶¶ 67-72.

6. On October 17, 2025, the Court granted Mr. Mendoza Gutierrez a temporary restraining order, ordering that he be released immediately “until he receives a bond hearing before an IJ under § 1226(a), at which the Government shall bear the burden of justifying by clear and convincing evidence of flight risk,” the same relief sought by Petitioner in this case. *Mendoza Gutierrez*, 25-cv-2720, Dkt. 33 at 35. The Court deferred ruling on the motion for class certification until after a hearing on November 21, 2025. *Id.* at 36.

7. If this Court were to accept Respondents’ arguments and hold that Ms.

Batz is validly detained pursuant to § 1225(b) and not entitled to a bond hearing, it is possible that such a ruling would conflict with an eventual ruling in *Mendoza Gutierrez*, i.e., that this Court could find Ms. Batz is not entitled to a bond hearing, while the court in *Mendoza Gutierrez* could find the opposite – that Ms. Batz, as part of the class, is entitled to request such a hearing.

8. Petitioner did not file this Notice earlier because she believed the issues in her case were sufficiently distinct from those in *Mendoza Gutierrez*; however, Respondents' response from October 17 makes clear that – at least from Respondents' point of view – the legal issues in the two cases are substantively identical.

9. In order to apprise the Court of the possibility of this case affecting *Mendoza Gutierrez* by ruling on the same question of law involving the same parties, Petitioner files this Notice of Related Case.

Dated: October 20, 2025

Respectfully submitted,

/s/ James D. Jenkins

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Certificate of Service

I hereby certify that the foregoing was filed via the Court's CM/ECF system this 20th day of October, 2025, which sent notice of such filing to all parties.

/s/ James D. Jenkins
Attorney for Petitioner