

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

Civil Action No. 25-cv-03642-CNS

JOSE ALONSO ESPINOZA RUIZ,

Petitioner,

v.

JUAN BALTAZAR, Warden of the Denver Contract Detention Facility, Aurora, Colorado, in his official capacity;

ROBERT HAGAN, Field Office Director, Denver Field Office, U.S. Immigration and Customs Enforcement, in his official capacity;

KRISTI NOEM, Secretary, 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;

PAM BONDI, Attorney General, U.S. Department of Justice, in her official capacity;

Respondents.

RESPONSE TO COURT ORDER (ECF No. 21)

In accordance with the Court's order, ECF No. 21, Respondents respond to the Petitioner's statement, ECF No. 20, that Respondents prevented Petitioner's family from paying bond multiple times. In brief, and as explained in more detail below, an issue with an online bond payment system prevented the online payment of the bond. Once the reason for the issue was identified, Respondents identified a solution (paying in person rather than through the online system), and Petitioner then paid his bond and was released.

This Court granted Mr. Espinoza Ruiz's Verified Petition for Writ of Habeas Corpus, ECF No. 1, on November 26, 2025. ECF No. 18. The Court ordered Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within

seven days. *Id.* Respondents timely provided Petitioner with the Court-ordered bond hearing on December 3, 2025, at which an immigration judge (“IJ”) granted Petitioner’s release upon payment of \$1,500 bond.

On December 5, 2025, counsel for Petitioner e-mailed undersigned counsel for Respondents, stating that Petitioner had been unable to pay his bond online and thus was still in custody. Counsel for Petitioner provided a screenshot showing that the online bond payment system was unable to locate Petitioner in the system and thus unable to process a bond payment for him. Undersigned counsel contacted Immigration and Customs Enforcement (“ICE”), notifying the agency of the issue. ICE made multiple attempts to fix the technical issue on Friday, December 5, 2025. After attempting various technical fixes, undersigned counsel informed counsel for Petitioner that Petitioner should try to post the bond again. Counsel for Petitioner informed undersigned counsel that subsequent attempts to pay the bond were unsuccessful. Petitioner then filed the First Status Report. ECF No. 20.

On December 5, 2025, ICE was unable to identify the reason that Petitioner’s identity did not appear in the online bond payment system.

Over the weekend of December 6 and 7, 2025, ICE officials continued to attempt to address this online bond payment issue, and continued to be in communication with counsel and representatives for Petitioner about the issue. On Sunday morning, December 7, 2025, an ICE official notified Petitioner that ICE believed that they had discovered the reason for Petitioner’s absence from the online bond payment system. At some point Petitioner had been subject to the special confidentiality provisions of 8

U.S.C. § 1367,¹ which caused him to be removed from public-facing access in the online bond payment system.

ICE then informed Petitioner of this reason, and that Petitioner's representatives could pay the bond in person. They did so, and Petitioner was released on bond on December 8, 2025.

Dated December 10, 2025.

Respectfully submitted,

PETER MCNEILLY
United States Attorney

s/Zeyen J. Wu
Zeyen J. Wu
Assistant U.S. Attorney
United States Attorney's Office for the
District of Colorado
1801 California Street, Ste. 1600
Denver, Colorado 80202
Telephone: 303-454-0100
Email: zeyen.wu@usdoj.gov

Attorneys for Respondents

¹ Undersigned counsel conferred with counsel for Petitioner, and Petitioner agreed to waive the confidentiality protections provided for in 8 U.S.C. § 1367 to permit Respondents to disclose that he had been subject to the provisions of this statute.

CERTIFICATE OF SERVICE (CM/ECF)

I hereby certify that on December 10, 2025, I electronically filed the foregoing with the Clerk of Court using the ECF system, which will send notification of such filing to all counsel of record.

s/ Zeyen J. Wu

U.S. Attorney's Office