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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTHERN DISTRICT OF GEORGIA  
PHOENIX DIVISION**

<b>Bessy Cordova,</b>	)	Case No. 2:25-CV-04264-PHX-
	)	GMS (MIM)
Plaintiff(s)/Petitioner(s), v.	)	
	)	
<b>David Rivas, et. al.</b>	)	
Defendant(s)/Respondent(s).	)	
	)	

**PETITIONER’S REPLY TO RESPONDENTS’ NOTICE OF COMPLIANCE AND  
RESPONSE TO MOTION TO INFORM THE COURT OF NONCOMPLIANCE**

**COMES NOW** Petitioner, through undersigned counsel, and respectfully replies as follows:

1. Petitioner respectfully submits this Reply to clarify the record regarding Respondents’ Notice of Compliance and Response filed on December 17, 2025. While Respondents assert that they complied with this Court’s December 10, 2025 Order by scheduling a custody redetermination hearing on December 16, 2025, Petitioner contends that neither she nor her counsel received timely or adequate notice of that hearing. The government’s filing includes a Notice of Hearing and Immigration Judge’s Order as Exhibits A and B; however, Respondents have not provided proof that the Notice was served upon Petitioner’s counsel, who had entered an EOIR-28 in all proceedings. As a result, Petitioner was deprived of a meaningful opportunity to participate in the bond hearing, contrary to the intent of this Court’s Order.

2. Despite the Notice attached to Respondents' filing, undersigned counsel was not notified of the December 16 hearing until approximately 3.5 hours before its occurrence, via email from DHS counsel, as reflected in the attachment to Petitioner's prior motion. This last-minute communication did not provide sufficient time to prepare or appear for the hearing.

3. Furthermore, upon reviewing the Immigration Judge's Order attached to Respondents' response, Petitioner notes that this Order was never received by counsel, despite counsel having submitted representation in all EOIR proceedings. The Order indicates that the bond request was withdrawn "without prejudice" due to lack of appearance and sponsor information.

4. In light of these circumstances, Petitioner has already submitted a motion for custody redetermination and a request to reschedule the hearing before the Immigration Court.

### CONCLUSION

Petitioner respectfully maintains that Respondents' characterization of compliance is inaccurate. While a hearing was technically scheduled, the lack of timely and proper notice to counsel deprived Petitioner of a meaningful opportunity to participate, contrary to the spirit and intent of this Court's December 10, 2025 Order. Petitioner requests that this Court take these facts into consideration and grant appropriate relief to ensure compliance and due process.

**WHEREFORE**, Petitioner respectfully requests that the Court:

- 1) Find that Respondents have not fully complied with the December 10, 2025 Order;
- 2) Direct Respondents to vacate the prior bond determination and conduct a new bond hearing within three (3) days with proper notice and opportunity to present evidence, or alternatively,
- 3) Order Petitioner's immediate release under reasonable conditions, given the procedural deficiencies and Respondents' failure to comply with the Court's mandate.

Dated: December 18, 2025

Respectfully submitted,

/s/ Michelle M. Reyes

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 18, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to those attorneys of record registered on the CM/EMF system. All other parties shall be served in accordance with the Federal Rules of Civil Procedure.

/s/ Michelle M. Reyes  
Michelle M. Reyes, Esq.