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12
 13 UNITED STATES DISTRICT COURT
 14 DISTRICT OF NEVADA

15 Artur Sarkisov,
 16 Petitioner,
 17 v.
 18 Pamela Bondi, *et al.*,
 19 Respondents.

Case No. 2:25-cv-02321-JAD-DJA
**Opposition to Respondents' Motion
 for Extension of Time (ECF No. 12)**

20
 21 INTRODUCTION

22 Artur Sarkisov has been in ICE detention since April 30, 2025—nearly eight
 23 months now. His original order of removal became final over twenty years ago. He
 24 has been granted deferral from removal to his home country, Azerbaijan, under the
 25 Convention Against Torture. As a result, his continuing indefinite detention is
 26 unconstitutional as it is not reasonably foreseeable that he will be deported due to
 27

1 the deferral. On information and belief, it is also not reasonably foreseeable that he
2 will be deported to a third country.

3 On November 21, 2025, Sarkisov filed a pro se habeas petition challenging
4 his unlawful detention.¹ On December 3, 2025, this Court appointed undersigned
5 counsel to represent Sarkisov and ordered the Government to file its response to the
6 habeas petition by December 17, 2025.²

7 Without meeting and conferring with undersigned counsel, the Government
8 filed a first motion for an extension of time at 11:59 p.m. on December 17, 2025,
9 seeking an additional two days to respond.³ The good cause alleged in the motion
10 were case load concerns and anticipated receipt of documents from their clients.⁴
11 Due to the short length of the request, undersigned counsel did not file an objection.
12 This Court granted the request nunc pro tunc in a minute order on December 19,
13 2025, based on “good cause” and “the brief nature of the reasonable extension
14 request.”⁵

15 Without meeting and conferring with undersigned counsel, the Government
16 filed an untimely second motion for an extension of time after midnight on
17 Saturday, December 20, 2025.⁶ Although the prior request was for two days, this
18 request is now for ten, until December 29, 2025.⁷ In this motion, the Government no
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21 ¹ ECF No. 1-1.

22 ² ECF No. 5.

23 ³ ECF No. 10.

24 ⁴ *Id.* at 2-3.

25 ⁵ ECF No. 11.

26 ⁶ ECF No. 12. It should be noted that, in their motion, the Government
27 inaccurately stated that the request was “sought before the deadline.”

⁷ *Id.*

1 longer asserts that it is waiting on documents from their clients.⁸ Instead, the basis
2 of the request is that the Assistant United States Attorney assigned to this case is
3 now going to be out of the office for two weeks and someone else needs time to work
4 on the response.⁹

5 Sarkisov respectfully opposes this request because any further extension to
6 respond prolongs Sarkisov's unconstitutional detention. In light of this, the
7 Government has not shown good cause or diligence to justify a second, untimely
8 extension for ten additional days. This Court should deny the request for a ten-day
9 extension to file its response to the petition.

10 ARGUMENT

11 A request to extend unexpired deadlines may be granted upon a showing of
12 good cause by the moving party. Fed. R. Civ. P. 6(b)(1)(A). "The good cause analysis
13 turns on whether the subject deadlines cannot reasonably be met despite the
14 exercise of diligence." *Williams v. James River Grp. Inc.*, 627 F. Supp. 3d 1172,
15 1177–78 (D. Nev. 2022) citing *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604,
16 609 (9th Cir. 1992). Where diligence has not been shown, "the inquiry should end."
17 *Johnson*, 975 F.2d at 609. Here, Respondents cannot meet the good cause standard
18 and have not demonstrated diligence.

19 This case concerns serious matters pertaining to the liberty interests of
20 Sarkisov, who has been detained since April 30, 2025, nearly eight months ago.
21 Undersigned counsel does not want to appear unreasonable. They did not file an
22 objection to the prior request because it was short. However, the Government has
23 now held Sarkisov in its custody for an extended period of time, and the answers to
24 the matters raised in the petition have always been in its possession and should be
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26 ⁸ *Id.*

27 ⁹ *Id.*

1 readily available to it. Indeed, the Government's first two-day extension request
2 made it appear that it was close to filing a response. At that time, the Government
3 was also presumably aware that the Assistant United States Attorney assigned to
4 this case would soon be on leave for two weeks over the holidays. It is unseemly for
5 the Government to now seek an extended request when its prior request gave the
6 clear message that it was nearly ready to answer the petition.

7 Thus, a ten-day extension is not warranted, and Respondents have not made
8 the requisite showing of diligence. To the contrary, to date, neither Sarkisov nor his
9 counsel have been provided with any evidence showing his deportation is
10 reasonably foreseeable. Sarkisov, again, has been detained for nearly eight months.
11 His original removal order has been final for over 20 years. He has deferral from
12 removal to Azerbaijan under CAT, meaning that deportation to the one country
13 where he was a citizen simply will not be happening. As a result, his continued
14 detention violates his due process rights. *Zadvydas v. Davis*, 533 U.S. 678, 701
15 (2001).

16 Accordingly, Petitioner asks that this Court deny the motion for a ten-day
17 extension of time.

18 Dated December 22, 2025.

19
20 Respectfully submitted,

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22 Federal Public Defender

23 /s/ Jonathan M. Kirshbaum
24 Jonathan M. Kirshbaum
25 Assistant Federal Public Defender

26 /s/ Amy B. Cleary
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