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UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

Huang, Guan Petitioner, V. KRISTI NOEM, Secretary of the United States Department of Homeland Security; PAM BONDI, United States Attorney General; TODD LYONS, Director of United States Immigration and Customs Enforcement; Kelei Walker, Field Office Director for Detention and Removal, U.S. Immigration and Customs Enforcement, Department of Homeland Security; Juan Baltasar Warden, Denver Contract Detention Center; UNITED STATES DEPARTMENT OF HOMELAND SECURITY; UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT; Respondents	A [redacted] Detained Case File No.: 1:25-cv-03788-RMR Immigration file No.: [redacted] **PETITIONER'S MOTION FOR ENFORCMENT OF WRIT OF HABEAS CORPUS AND IMMEDIATE RELEASE** **EMERGENCY MOTION**

Petitioner Guan Huang, through undersigned counsel, respectfully moves for attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d). The Court granted the Petition for Writ of Habeas Corpus in full. Under controlling Tenth Circuit precedent, Petitioner is a prevailing party, the government's position was not substantially justified, and no special circumstances make an award unjust. *See, Daley v. Choate,* No. 24-1191 (10th Cir. Nov. 3, 2025).

Pursuant to 28 U.S.C. § 2241 and the Court's March 9, 2026 Order (ECF No. 14), Petitioner Guan Huang respectfully moves for emergency enforcement and immediate release because Respondents did not provide the bond hearing the Court ordered to occur by March 19, 2026 with the Government bearing the burden by clear and convincing evidence. (ECF No.19)

Because Petitioner remains detained despite the missed compliance deadline, Petitioner requests immediate release on parole under 8 USC §1226 (a)(2)(B)

I. EMERGENCY RELIEF REQUESTED

Petitioner requests that the Court order Petitioner's immediate release from custody because Respondents failed to provide the ordered bond hearing by the deadline and shorten response time and set expedited consideration as the Court deems appropriate.

II. BASIS FOR EMERGENCY CONSIDERATION

The Court ordered Respondents to provide a bond hearing within ten days—by March 19, 2026—under 8 U.S.C. § 1226(a), with the Government bearing the burden of justifying continued detention by clear and convincing evidence. ECF No. 14 at 6–7. Respondents concede that by the March 19 deadline, there was no bond determination: the immigration judge "scheduled another bond hearing" for March 23, 2026 to allow more time to prepare. Thus, the ordered process and the ordered deadline were not met, and Petitioner remains detained. *See* Respondents'

Status Report (ECF No. 19).

Every day of continued detention past a habeas compliance deadline is irreparable, and habeas relief is meant to be swift and effective. See *Boumediene v. Bush*, 553 U.S. 723, 779 (2008); 28 U.S.C. § 2243.

III. RELEVANT FACTS

1. On March 9, 2026, the Court granted Petitioner's habeas petition and ordered Respondents to provide Petitioner a bond hearing under 8 U.S.C. § 1226(a) within ten days, and to bear the burden by clear and convincing evidence of dangerousness or flight risk. (ECF No. 14) (See also ECF No. 19 at 1–2.)

2. Respondents acknowledge the deadline for the ordered bond hearing was March 19, 2026. (ECF No. 19 at 2.)

3. Respondents further acknowledge that although proceedings were convened on March 19, 2026, the immigration judge rescheduled the matter to March 23, 2026 "to give the parties more time to prepare" and because the parties "did not have time to upload documents." (ECF No. 19 at 2–4.)

4. As of the deadline, there has been no custody determination under the Court's ordered framework (burden on the Government; clear and convincing standard). Petitioner remains detained. (ECF No. 19 at 2–4.)

IV. LEGAL AUTHORITY

Habeas courts have broad authority to enforce compliance and order release. A district court resolving a habeas petition must "dispose of the matter as law and justice require." 28 U.S.C. § 2243. The "typical" core habeas remedy is release from unlawful custody. *Munaf v. Geren*, 553 U.S. 674, 693 (2008).

When the Government does not provide the process a habeas order requires by the deadline, release is the appropriate enforcement remedy.

Where a court has ordered a specific process by a date certain to cure unlawful detention, and the Government does not provide that process, continued detention is no longer justified under the court's order. See 28 U.S.C. § 2243; *Boumediene*, 553 U.S. at 779.

V. ARGUMENT

The Court's March 9 Order required a bond hearing by March 19, 2026 with the Government bearing the burden by clear and convincing evidence. Respondents concede that the proceeding convened on March 19 did not result in an adjudication and was continued to March 23 due to lack of preparation and document uploading. (ECF No. 19 at 2–4.)

That is not compliance with the Court's Order. A continued, non-adjudicatory setting does not supply the ordered custody redetermination by the ordered deadline, and it leaves Petitioner detained past the deadline the Court set to cure the unlawful detention the Court found.

Respondents' explanation (administrative error; scheduling problems; need more time to upload documents) does not change the central point: Petitioner remains in custody without the ordered, burden-shifting bond hearing by the date certain the Court imposed. (ECF No. 19 at 2–4.) Under § 2243, the Court should enforce its Order and order immediate release.

VI. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court order his immediate release.

Respectfully submitted,

/s/ Stacey King

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CERTIFICATION FOR EMERGENCY MOTION

(1) Petitioner is unlawfully detained, and every day his irreparable harm is compounded, where no remedy of law can make him whole;

(2)

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12484 E Weaver Pl, Centennial, CO 80111

(3) I hereby certify that I conferred in good faith with opposing counsel regarding the relief requested in the Motion for Enforcement by telephone, who stated that Respondents oppose the motion, on March 19, 2026.

Date: 03/19/2026

/s/ Stacey King

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Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on March 19, 2026, I electronically filed the foregoing MOTION For Enforcement with the Clerk of Court using the CM/ECF system, which will send notification of such to Respondents.

Date: 03/19/2026

/s/ Stacey King

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