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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 ATTORNEY'S FEES**

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).

I. PETITIONER IS A PREVAILING PARTY UNDER NINTH CIRCUIT LAW

A habeas petitioner who obtains a court-ordered release is a prevailing party under the EAJA. *Id.*

Here, the Court granted the habeas petition outright.

II. THE GOVERNMENT'S POSITION WAS NOT SUBSTANTIALLY JUSTIFIED

Under EAJA, the government bears the burden of proving its position was "substantially justified." *Id.* The standard is demanding: the government must show its position had a reasonable basis in both law and fact. *Id.*

The government's position is not substantially justified where it relies on an unreasonable statutory interpretation, it ignores binding precedent, or it persists in a position after courts have rejected it. *Id.*

This case is not unusual. It is exactly the type of case where EAJA fees are required.

A. Respondents' position was unreasonable in law and fact

The government's position is contrary to the plain text of the statute, longstanding practice, and binding circuit precedent, it is not substantially justified. *Id.*

This case fits squarely within that line of authority.

III. NO SPECIAL CIRCUMSTANCES MAKE AN AWARD UNJUST

EAJA's special circumstances exception is narrow. Nothing in this record suggests any equitable reason to deny fees. To the contrary, Petitioner suffered an arbitrary deprivation of liberty, and Respondents' detention practices were unlawful.

Awarding fees here furthers EAJA's purpose: deterring unreasonable government conduct and enabling individuals to vindicate their rights.

IV. REQUESTED FEES AND COSTS

Petitioner submits a contemporaneous, itemized declaration of counsel detailing the hours reasonably expended at a rate of $258.46. Petitioner requests Total Fees of $7,223.95, reflecting 27.95 Total Hours.

V. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court:

1. Grant this Motion;
2. Award attorney's fees and costs under 28 U.S.C. § 2412(d) in the amount of $7,223.95; and
3. Award any further relief the Court deems just.

Respectfully submitted,

/s/ Stacey King

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Attorney for Petitioner

CERTIFICATE OF COMPLIANCE

I hereby certify that I conferred in good faith with opposing counsel regarding the relief requested in the Motion for Fees and Costs by email on April 1, 2026, who stated that Respondents oppose the motion.

Date: 04/02/2026

/s/ Stacey King

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Attorney for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2026, I electronically filed the foregoing MOTION For Fees and Costs with the Clerk of Court using the CM/ECF system, which will send notification of such to Respondents.

Date: 04/02/2026

/s/ Stacey King

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EXHIBIT A

DECLARATION OF STACEY KING IN SUPPORT OF PLAINTIFF'S MOTION FOR COSTS AND ATTORNEY'S FEES

I, Stacey King, declare as follows:

1. I am an attorney licensed to practice law in the State of Colorado, I have over 20 years of experience as an attorney and I am admitted to practice before this Court. I am counsel of record for Petitioner in this matter. I submit this declaration in support of Plaintiff's Motion for Costs and Attorney's Fees pursuant to 28 U.S.C. § 2412(d).
2. I have personal knowledge of the facts stated in this declaration and, if called as a witness, could and would testify competently thereto.
3. My hourly billing rate for this matter is $258.46.
4. The billing entries below reflect the actual time I expended on this matter.

ITEMIZED BILLING ENTRIES

Date	Description of Work	Time (hrs)	Amount
[11/10/2025]	Collected and Reviewed Petitioner's immigration file documents including the Form 213, Bond Motion, Bond Appeal and Bond Order	4.1	$1,059.86
[11/11/2026]	Drafted Petition for Writ of Habeas Corpus.	2.8	$723.68
[11/15/2026]	Drafted Motion for Preliminary Injunction.	2.7	$697.84
[11/22/2025]	Revised and finalized Petition for Writ of Habeas Corpus and Motion for Preliminary Injunction.	2.5	$646.15
[12/09/2025]	Drafted and finalized Motion for Ruling	0.7	$180.92
[12/17/2025]	Served the Petition and Motion for Preliminary Injunction and filed affidavit of service	1.7	$439.38
[12/29/2025]	Reviewed Respondents' Responses	2.6	$671.88
[01/05/2026]	Drafted and finalized Reply to Respondents' Responses	3.8	$982.14
[02/03/2026]	Drafted and finalized Motion for Ruling	0.7	$180.92
[03/09/2026]	Reviewed Court Order	0.9	$232.61
[03/19/2026]	Met and conferred with government counsel regarding Respondents compliance with court order	0.25	$64.61

Date	Description of Work	Time (hrs)	Amount
[03/19/2026]	Reviewed status report filed by government counsel	0.25	$64.61
[03/19/2026]	Drafted, finalized, and filed Motion to Enforce	1.5	$387.69
[03/20/2026]	Reviewed court order on motion to enforce	0.4	$103.38
[03/23/2026]	Met and conferred with government counsel regarding Respondents compliance with court order	0.25	$64.61
[03/23/2026]	Reviewed motion for extension filed by government counsel	0.4	$103.38
[03/23/2026]	Drafted, finalized, and filed second Motion to Enforce	1.5	$387.69
[03/24/2026]	Reviewed court orders on motion to enforce and motion for extension	0.4	$103.38
[03/26/2026]	Reviewed status report filed by government counsel	0.25	$64.61
[03/30/2026]	Reviewed judgment filed by the court	0.25	$64.61

Total Hours: 27.95 **Total Fees:** $7,223.95

5. Reasonableness of Fees

The time expended was reasonable and necessary given Respondents flagrant disregard of the law. All work was performed efficiently.

6. Declaration

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: April 2, 2026

/s/ Stacey King

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