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9 *Counsel for Petitioner*

10 **IN THE UNITED STATES DISTRICT COURT**  
11 **FOR THE DISTRICT OF NEVADA**

12 Roberto JUAREZ FERNANDEZ,  
*Petitioner,*

13 v.  
14

15 Jason KNIGHT, Field Office Director, Salt  
Lake City Field Office, U.S. Immigration and  
16 Custom Enforcement, Enforcement and  
Removal Operations Division;  
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18 John MATTOS, Warden, Nevada Southern  
Detention Center;  
19

20 Kristi NOEM, Secretary, United States  
Department of Homeland Security;  
21

22 Pamela BONDI, Attorney General of the United  
States,  
23 *Respondents.*

Case No. 2:25-cv-02341-RFB-DJA

**PETITIONER'S OPPOSITION TO  
FEDERAL RESPONDENTS' MOTION  
FOR EXTENSION OF TIME TO FILE  
RESPONSE TO ORDER TO SHOW  
CAUSE**

Judge Richard Boulware



1 That Federal Respondents, “will need to prepare responsive pleadings in seven other  
2 habeas corpus immigration cases, received this week” is no reason to continue to detain Mr. Juarez  
3 Fernandez. Dkt. 7 at 3. This court has already determined that he presents a *prima facie* case for  
4 relief. Dkt. 4 at 2. The federal government’s heightened immigration workload stems from its own  
5 policies that unlawfully detain individuals like Mr. Juarez Fernandez. To then use that heightened  
6 workload against Mr. Juarez Fernandez is fundamentally unjust. *See Canup v. Miss. Valley Barge*  
7 *Line Co.*, 31 F.R.D. 282, 283 (D. Pa. 1962). (“One of the basic purposes of the Rules of Federal  
8 Procedure is to secure the ‘speedy’ determination of pending litigation. Since Magna Carta...delay  
9 has been recognized as *pro tanto* denial of justice.”). Federal Respondents have had to brief similar  
10 legal issues as those presented by Mr. Juarez Fernandez in other cases in this district. *See e.g.*,  
11 *Herrera v. Knight*, --- F. Supp. 3d ----, 2025 WL 2581792 (D. Nev. 2025); *see also Maldonado*  
12 *Vazquez v. Feeley*, No. 25-cv-1542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025). This court has  
13 even found that this case is substantially similar to and likely warrants the same relief in *Escobar*  
14 *Salgado v. Mattos*, No. 2:25-CV-01872-RFB-EJY (D. Nev. Nov. 17, 2025). Dkt. 4 at 1. Federal  
15 Respondents are well-versed at this point to these types of proceedings and should be able to  
16 respond under the Federal Rules.

17 Further, the Thanksgiving federal holiday has already been taken into consideration by this  
18 court when ordering a response on December 1, 2025, rather than November 28, 2025. While it  
19 may be a common custom for some to take off work the Friday after Thanksgiving, if Mr. Juarez  
20 Fernandez must continue to be detained, this cannot excuse Federal Respondents from the  
21 consequences of their own actions.

22 For the above-discussed reasons, Mr. Juarez Fernandez believes Federal Respondents have  
23 not demonstrated good cause for this Court to grant their extension.

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1       **II. Mr. Juarez Fernandez is Now a Member of a Certified Class on This**  
2       **Issue**

3       On November 25, 2025, the United States District Court for the Central District of  
4       California issued an order granting class certification to,

5               All noncitizens in the United States without lawful status who (1) have  
6               entered or will enter the United States without inspection; (2) were not or  
7               will not be apprehended upon arrival; and (3) are not or will not be subject  
8               to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time  
9               the Department of Homeland Security makes an initial custody  
10              determination.

11             *Maldonado Bautista et. al. v. Ernesto Santacruz Jr. et. al.*, No. 5:25-cv-01873-SS-BFM  
12             (C.D. Cal. Nov. 25, 2025). In addition to certifying the class, the District Court also extended  
13             declaratory relief to all those who fall into this class nationwide. *Id.* at 13-14. Namely a right to an  
14             individualized hearing on bond. *Id.*

15             Here, Mr. Juarez Fernandez meets the three elements of the above-named class. He (1)  
16             entered the United States without inspection, (2) was not apprehended upon his arrival, and (3) is  
17             not subject to mandatory detention under 8 U.S.C. §§ 1226(c), 1225(b)(1), or 1231.

18             His membership in this class further underscores the urgency of this matter. This court and  
19             other courts across the country have recognized the unlawful nature of this detention. Any further  
20             delay would only serve to deny Mr. Juarez Fernandez the justice he deserves.

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1 **CONCLUSION**

2 For the above-stated reasons, Mr. Juarez Fernandez asks the Court to find that Federal  
3 Respondents' do not demonstrate good cause and deny their Motion for Extension of Time.

4  
5 Dated: November 26, 2025

6 Respectfully submitted,

7 /s/ Nallely Abad

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