

1 **IN THE UNITED STATES DISTRICT COURT**  
2 **FOR THE DISTRICT OF COLORADO**

3  
4 CIVIL ACTION NO. 1:25-CV-03955-STV

5 ALKHAZ KHUVIEV  
6 Petitioner.

7  
8 v.

9  
10 JUAN BALTAZAR, in his official capacity as Warden of Denver Contract Detention  
Facility;

11 ROBERT HAGAN, in his official capacity as Field Office Director of Enforcement  
12 and Removal Operations, Denver Field Office, Immigration and Customs  
13 Enforcement;

14 TODD LYONS, in his official capacity as Acting Director of Immigration and  
Customs Enforcement;

15 KRISTI NOEM, in her official capacity as Secretary, U.S. Department of Homeland  
16 Security; and

17 PAMELA BONDI, in her official capacity as U.S. Attorney General;  
18 Respondents

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20  
21 **PETITIONER'S MOTION FOR COURT TO COMPEL PRODUCTION OF EVIDENCE**  
22 **BY RESPONDENTS SUPPORTED BY GOOD CAUSE**

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25 Petitioner Alkhaz Khubiev requests this Court to compel Respondents to provide  
26 to this Court evidence of which they are exclusively in possession, which contributes to  
27 the administrative record in Mr. Khubiev's case and which is necessary to the resolution  
28 of the issues posed by the Court at the February 4, 2026, hearing in this matter.

1 Namely, Mr. Khubiev asks the Court to compel Respondents to immediate  
2 produce and file into the record of these proceedings Forms I-213, Record of Deportable/  
3 Inadmissible Alien, which was generated by Respondents when they first encountered  
4 Mr. Khubiev at the port of entry on July 28, 2021. There was likely a second Form I-213,  
5 Record of Deportable/Inadmissible Alien generated when Mr. Khubiev was detained by  
6 Respondents on November 20, 2025.

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8 Good cause exists for the Court to compel production and entry into the record  
9 these final documents.

10 In order to obtain discovery in habeas proceedings, leave of court is  
11 required. Rule 6(a) of the Rules Governing Section 2254 Proceedings for  
12 the United States District Courts provides that “a judge may, for good  
13 cause, authorize a party to conduct discovery under the Federal Rules Civil  
14 Procedure.” “Good cause” requires specificity as to the information sought,  
15 and a party “must make at least a preliminary showing that requested  
documents contain exculpatory or impeaching information in order to  
compel production.”

16 *United States v. Moss*, No. C/A 8:05-0338-GRA, 2008 WL 4442613, at \*1 (D.S.C. Sept.  
17 25, 2008) quoting *Hall v. United States*, 30 F.Supp.2d 883, 899 (E .D. Va.1998).

18 The records that Mr. Khubiev seeks are records created when Respondents  
19 encountered him at the port of entry on July 28, 2021, and when they re-detained him on  
20 November 20, 2025. Those documents should expressly state Respondents determination  
21 as to the purpose of Mr. Khubiev’s parole on July 28, 2021, pursuant to 8 USC 1182(d)  
22 (5). The documents also should expressly provide the reasoning why Respondents  
23 believed Mr. Khubiev’s parole could be revoked in November 20, 2025. These  
24 documents are critical to help provide some resolution to the Court’s questions regarding  
25 Mr. Khubiev’s parole and its unlawful revocation.

26  
27 These documents are exclusively in possession and control of Respondents.  
28 Petitioner’s counsel attempted to contact Respondents to request that they provide copies

1 of the two Forms I-213, but was not given a copy of either document. See Exhibit 1 and  
2 2.

3 Good cause exists for the Court to intervene in this circumstance and compel  
4 Respondents to provide this critical evidence which will supplement the administrative  
5 record and provide details regarding Mr. Khubiev's parole, which is directly at issue in  
6 this case.

7 Given that this is a habeas action with short deadlines, there is no time for  
8 Petitioner to conduct formal discovery.

9 Mr. Khubiev requests the Court to act quickly and compel Respondents to provide  
10 these documents to the Court expeditiously, in order to have this important information  
11 prior to the February 18, 2026, supplemental briefing deadline.  
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14 Date: February 10, 2026

Respectfully Submitted

15 /s/ Inna Parizher

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21 *Attorney for Petitioner*

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23 CERTIFICATE OF SERVICE

24 I hereby certify that on February 10, 2025, a copy of the foregoing Motion to Compel Production  
25 of Evidence was filed electronically. Notice of this filing will be sent to the following parties  
26 through the Court's Electronic Case Filing System. Parties may access this filing through the  
27 Court's system.  
28

1 Juan Baltazar, Warden, Auroroa Contract Detention Facility

2 By and through attorney: Alexandra J. Berger, [Alexandra.Berger@usdoj.gov](mailto:Alexandra.Berger@usdoj.gov)

3 Robert Hagan, Field Office Director, Denver Colorado Field Office, United States Immigration  
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6 Todd M. Lyons, Acting Director, United States Immigration and Customs Enforcement

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8 Kristi Noem, Secretary of Homeland Security

9 By and through attorney: Alexandra J. Berger, [alexandra.Berger@usdoj.gov](mailto:alexandra.Berger@usdoj.gov)

10 Pamela Jo Bondi, Attorney General of the United States, in their official capacities

11 By and through attorney: Alexandra J. Berger, [Alexandra.Berger@usdoj.gov](mailto:Alexandra.Berger@usdoj.gov)

12  
13 Date: February 10, 2026

/s/ Inna Parizher

14 Inna Parizher

15 Attorney for Petitioner  
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