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

Jesus Maria **INESTROZA PAGUADA**,

Petitioner,

v.

Johnny **CHOATE**, Warden of Aurora
Detention Center; Robert **HAGAN**, Field
Office Director of Enforcement and Removal
Operations, Denver Field Office, Immigration
and Customs Enforcement; Kristi **NOEM**,
Secretary, U.S. Department of Homeland
Security; U.S.; Pamela **BONDI**, U.S. Attorney
General, Executive Office for Immigration
Review

Respondents.

Case No.: **1:25-cv-03970-STV**

Agency No.: 

**PETITIONER'S MOTION TO ENFORCE JUDGMENT AND FOR
IMMEDIATE RELEASE**

1 **PETITIONER'S MOTION TO ENFORCE JUDGMENT AND FOR IMMEDIATE**
2 **RELEASE**

3 Petitioner Jesus Maria Inestroza Paguada, through undersigned counsel, respectfully moves this
4 Court to enforce its March 5, 2026 Order and Final Judgment and to order Petitioner's immediate
5 release from custody due to Respondents' failure to comply with the Court's directives.

6
7
8 **1. Court's Order Granting Habeas Relief**

9 On March 5, 2026, this Court granted Petitioner's Application for Writ of Habeas Corpus pursuant
10 to 28 U.S.C. § 2241.

11 The Court held that Petitioner's detention is governed by 8 U.S.C. § 1226(a) and that Petitioner is
12 entitled to a bond hearing.

13 The Court therefore ordered that:

14
15 "Respondents shall provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within
16 SEVEN DAYS of the date of this Court's order."

17 The Court further ordered Respondents to file a status report within ten days certifying compliance.

18 Final Judgment was entered the same day.
19
20

21 **2. Respondents Have Failed to Comply**

22 The seven-day deadline established by the Court's Order has now passed.

23 As of the filing of this Motion:
24

- 1 • Petitioner has not received the bond hearing ordered by this Court, and
- 2 • Respondents have not complied with the Court's directive.

3 Petitioner therefore remains detained in violation of this Court's Order and Judgment.
4

5
6 **3. Enforcement Authority**

7 Federal courts possess inherent authority to enforce their judgments and ensure compliance with
8 habeas relief. See 28 U.S.C. § 2243; 28 U.S.C. § 1651(a) (All Writs Act).

9
10 Where the government fails to comply with a court-ordered custody determination within the time
11 required, courts routinely order immediate release as the appropriate remedy.

12 Here, the Court has already determined that Petitioner is entitled to the custody procedures
13 provided under § 1226(a). Respondents' failure to provide the ordered hearing leaves Petitioner
14 detained without the process to which he is entitled.

15 Under these circumstances, immediate release is warranted.
16

17
18 **PRAYER FOR RELIEF**

19 WHEREFORE, Petitioner respectfully requests that this Court:

- 20 1. Enforce its March 5, 2026 Order and Judgment;
 - 21 2. Order Respondents to immediately release Petitioner from custody; and
 - 22 3. Grant any further relief the Court deems just and proper.
- 23
24

1 DATED 16th of March 2026.

2

3

/s/ Susan G. Roy, Esq.

4

Susan G. Roy, Esq.

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Attorney for Petitioner

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CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notifications of such filing to all counsel of record.

/s/ Susan G. Roy, Esq. _____
Susan G. Roy, Esq.