

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

Civil Action No. 1:25-cv-04051-RMR-CYC

ALBERT JOSHUA RAMIREZ ANDRADE,

Petitioner

v.

JUAN BALTAZAR, Warden of the Denver Contract Detention Facility, Aurora, Colorado,  
in his official capacity,

GEORGE VALDEZ,<sup>1</sup> Acting Field Office Director, Denver Field Office, U.S. Immigration  
and Customs Enforcement, in his official capacity,

KRISTI NOEM, Secretary, U.S. Department of Homeland Security, in her official  
capacity,

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

PAM BONDI, Attorney General, U.S. Department of Justice, in her official capacity,

Respondents

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**UNOPPOSED MOTION BY RESPONDENTS TO PARTIALLY VACATE THE  
COURT'S MARCH 4, 2026 ORDER (ECF No. 20)**

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Respondents respectfully submit the following Unopposed Motion, requesting that the Court vacate, in part, its March 4, 2026 Order on the Petition for Writ of Habeas Corpus (ECF No. 20). Pursuant to the Court's Order, Respondents released Petitioner from custody that same day. See ECF No. 21. Petitioner's immigration proceedings are now proceeding in the non-detained docket, and Respondents do not intend to re-detain Petitioner absent a change in circumstances. Respondents therefore request that the

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<sup>1</sup> George Valdez, Acting Field Office Director for ICE's Denver Field Office, is substituted for Robert Hagan pursuant to Fed. R. Civ. P. 25(d).

Court vacate the portion of its Order directing Respondents to provide Petitioner with a bond hearing.

Petitioner does not oppose the relief sought.

Petitioner was detained by Immigration and Customs Enforcement (ICE) on November 14, 2025. See ECF No. 1 ¶ 2. He filed a habeas petition on December 17, 2025, challenging his detention on various grounds. See ECF No. 1. The Court entered an Order on March 4, 2026, granting the petition and directing that Respondents: (1) immediately release Petitioner; (2) file a status report within two days confirming release; (3) provide him a bond hearing within seven days; and (4) file a status report confirming compliance within five days of that hearing. See ECF No. 20 at 8-9.

Pursuant to the Court's Order, Respondents released Petitioner on March 4, 2025. Respondents confirmed with Petitioner's counsel that Petitioner was released. Respondents filed a status report confirming his release. See ECF No. 21.<sup>2</sup> Upon release, Petitioner's immigration proceedings were transferred to the immigration court's non-detained docket. Respondents have no intent to re-detain Petitioner absent new circumstances (for example, if Petitioner were to commit a crime warranting detention under 8 U.S.C. § 1226(c)). Accordingly, Respondents' position—which Petitioner does not oppose—is that in light of the change in Petitioner's custody status, a bond hearing is not necessary and holding one would not serve any functional purpose.

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<sup>2</sup> Attached as Exhibit 1 is a Form I-830 which confirms his release (although not the date of his release). Respondents have redacted it to remove Petitioner's address and phone number. That Petitioner is no longer in custody can also be confirmed through an online-detainee-search website at <https://locator.ice.gov/odls/#/search>.

The Court has discretion to vacate the portion of its prior order that directed Respondents to hold a bond hearing. See, e.g., *Elephant Butte Ir. Dist. of N.M. v. U.S. Dep't of Interior*, 538 F.3d 1299, 1306 (10th Cir. 2008) (“[E]very order short of a final decree is subject to reopening at the discretion of the district judge.” (citation omitted)); *Friedman v. Dollar Thrifty Auto. Grp., Inc.*, No. 12-cv-02432-WYD-KMT, 2015 WL 8479746, at \*2 (D. Colo. Dec. 10, 2015) (noting that the court has “plenary power to revisit and amend interlocutory orders as justice requires” (citation omitted)).

For the reasons stated herein, Respondents respectfully request that the Court exercise its discretion to vacate the portion of its order directing Respondents to hold a bond hearing.

Dated: March 10, 2025.

Respectfully submitted,

PETER MCNEILLY  
United States Attorney

s/ Timothy Bart Jafek

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### CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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*s/ Timothy Bart Jafek* \_\_\_\_\_  
U.S. Attorney's Office