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12 UNITED STATES DISTRICT COURT  
13 DISTRICT OF NEVADA

14 Mohamad Alkarori,  
15 Petitioner,  
16 v.  
17 Nevada Southern Detention Center, *et al.*,  
18 Respondents.

Case No. 2:25-cv-02567-MMD-MDC

**Opposition to United States’  
Motion for Extension of Time to  
File a Response to Petitioner’s  
Petition for Writ of Habeas Corpus**

19 **Argument**

20 Petitioner Mohamad Alkarori respectfully opposes the Government’s request  
21 for a 45-day extension of time to respond to his petition for writ of habeas corpus.  
22 According to Mr. Alkarori’s *pro se* petition, he has been in immigration detention  
23 since July 2025, approximately 152 days as of the date of the Government’s motion,  
24 and his detention continues to lengthen without judicial review. Critically, based on  
25 the information currently available, there is no final order of removal against Mr.  
26 Alkarori, there are no ongoing removal proceedings, and he was granted relief from  
27 removal in 2019. (PEx. 1; ECF No. 1-1 at 6.) Against that backdrop, the  
Government’s request for an additional 45 days is unreasonable, unsupported by

1 good cause, and inconsistent with the expedited nature of these civil immigration  
2 detention proceedings. This Court should deny the motion and require the  
3 Government to respond by the existing deadline.

4 **I. Habeas proceedings where petitioners remain in civil**  
5 **immigration detention require prompt adjudication**

6 Habeas corpus is “the fundamental instrument for safeguarding individual  
7 freedom against arbitrary and lawless state action.” *Harris v. Nelson*, 394 U.S. 286,  
8 290–91 (1969). “Special solicitude is required because the writ is intended to be a  
9 ‘swift and imperative remedy in all cases of illegal restraint or confinement.’” *Yong*  
10 *v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000). When a petitioner remains in civil  
11 immigration detention, delay itself constitutes prejudice. Each additional day  
12 without adjudication is another day of confinement without meaningful judicial  
13 review.

14 That concern is particularly acute here. Based on the record presently before  
15 this Court, Mr. Alkarori is not subject to a final order of removal, is not in active  
16 removal proceedings, and previously obtained relief from removal in 2019. (PEx. 1,  
17 ECF No. 1-1 at 6.) Where, as here, all information and records indicate there is no  
18 final order of removal, no ongoing removal proceedings, and prior relief from  
19 removal has been granted, prolonged immigration detention without prompt  
20 judicial review raises serious due process concerns, supports the strength of Mr.  
21 Alkarori’s claim that he is being illegally detained, and underscores the need for  
22 expedited habeas adjudication.<sup>1</sup>

23 Consistent with these principles, this Court ordered the Government to file a  
24 response to Mr. Alkarori’s petition within fourteen days absent good cause shown.  
25 (ECF No. 3 at 3.) That directive reflects the well-settled rule that habeas petitions

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26 <sup>1</sup> All statements are made on information and belief based on the information  
27 provided in Mr. Alkarori’s *pro se* petition and the limited information available from  
online immigration records. Counsel has a meeting scheduled with Mr. Alkarori  
next week.

1 such as this warrant expedited consideration and that extensions should be granted  
2 sparingly.

3 **II. The Government has not shown good cause for a 45-day**  
4 **extension.**

5 The Government relies on generalized assertions of workload, staffing  
6 shortages, anticipated travel 25 days from now, and delays in receiving records from  
7 the Department of Homeland Security. (ECF No. 9 at 1.) None of these reasons  
8 constitutes good cause for a 45-day delay in a case involving ongoing civil  
9 immigration detention.

10 The Government's reliance on workload and staffing constraints is  
11 particularly unpersuasive in this context. The Government cannot invoke its own  
12 workload as a basis for delaying habeas review where it has affirmatively chosen to  
13 initiate and pursue these detention proceedings. Having exercised its discretion to  
14 arrest and detain Mr. Alkarori, the Government bears the corresponding obligation  
15 to litigate challenges to that custody promptly. Resource allocation decisions within  
16 the United States Attorney's Office and delays attributable to interagency  
17 coordination do not constitute good cause to prolong a petitioner's civil immigration  
18 confinement without timely judicial review. Nor does government counsel's planned  
19 travel 25 days from now justify extending this Court deadline that it set for next  
20 week.

21 Finally, the Government's claim that it has not yet received necessary DHS  
22 records is conclusory and concerning. First, the motion does not identify any specific  
23 document essential to responding to the petition or explain why a substantive  
24 response cannot be filed based on information already available. (ECF No. 9 at 2.) It  
25 is also troubling that the Government waited until now—*five months* after Mr.  
26 Alkarori entered its custody—to request his DHS records. Such a failure shows the  
27

1 Government has not acted with due diligence in this matter and cannot show good  
2 cause for its request.<sup>2</sup>

3 **III. The requested extension would substantially prejudice Mr.**  
4 **Alkarori and this Court should enforce its existing deadline.**

5 Although this is the Government's first extension request, that fact does not  
6 outweigh the liberty interests at stake or excuse a requested delay that far exceeds  
7 the deadline ordered by this Court. Any genuine need for additional time could have  
8 been addressed through a brief, narrowly tailored extension tied to specific DHS  
9 records the Government requires to respond. Rather than do so, the Government  
10 seeks nearly seven additional weeks based on vague and generalized statements, a  
11 delay that is both disproportionate and inconsistent with the expedited treatment  
required in habeas cases such as this.

12 For the foregoing reasons, Petitioner respectfully requests that this Court  
13 deny the Government's motion for an extension of time and order the Government  
14 to file its response by the current deadline of January 6, 2026.

15 Dated December 31, 2025.

16 Respectfully submitted,

17  
18 Rene L. Valladares  
19 Federal Public Defender

20 /s/ Margaret Lambrose


21 Margaret Lambrose  
22 Assistant Federal Public Defender  
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26 <sup>2</sup> The Ninth Circuit has equated good cause with the exercise of due  
27 diligence. See *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 509 (9th Cir.  
1992).

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been filed on December 31, 2025. I certify that some of the participants in the case are not registered electronic filing system users. I have mailed the foregoing document by First-Class Mail, postage pre-paid, or have dispatched it to a third-party commercial carrier for delivery within three calendar days, to the following person:

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*/s/ Mayra Castillo*  
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 An Employee of the Federal Public  
 Defender