

1 Rene L. Valladares
2 Federal Public Defender
3 Nevada State Bar No. 11479
4 *Margaret Lambrose
5 Assistant Federal Public Defender
6 Nevada State Bar No. 11626
7 411 E. Bonneville Ave., Ste. 250
8 Las Vegas, Nevada 89101
9 (702) 388-6577
10 Maggie_Lambrose@fd.org

*Attorney for Petitioner Cesar Estuardo Charuco-Urrutia

11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 Cesar Estuardo Charuco-Urrutia,
14 Petitioner,
15 v.
16 Pamela Bondi, *et al.*,
17 Respondents.

Case No. 2:26-cv-00012-CDS-NJK
**Reply to Respondents Response to
Petitioner's Petition for Writ of
Habeas Corpus**

18 **ARGUMENT¹**

19 Petitioner, Cesar Estuardo Charuco-Urrutia, brought a pro se petition for
20 writ of habeas corpus under 28 U.S.C. § 2241 on January 8, 2026. (ECF No. 4-1.)
21 This Court appointed the Federal Public Defenders Office to represent Mr. Charuco-
22 Urrutia the same day. (ECF No. 4.) Undersigned counsel entered her appearance on
23 January 13, 2026. (ECF No. 8.) Federal Respondents filed their answer on January
24 30, 2026. (ECF No. 13.) This timely reply follows.

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27 ¹ Factual statements are made on information and belief unless cited to the
record.

1 Mr. Charuco-Urrutia acknowledges that the procedural posture of this case
2 differs from other civil immigration detention challenges currently pending before
3 this Court. Mr. Charuco-Urrutia is a lawful permanent resident in ongoing removal
4 proceedings, is pursuing cancellation of removal, and received an individualized
5 merits bond hearing before an immigration judge in December 2025. (ECF No. 13-
6 2.) At that hearing, the immigration judge exercised jurisdiction, applied the legal
7 framework, and made findings. (ECF No. 13-3.) The bond determination was
8 administratively appealable and no appeal was taken.

9 In light of these facts, Mr. Charuco-Urrutia acknowledges that, on the
10 current record, he does not presently have a claim that is cognizable in habeas
11 corpus. He respectfully maintains, however, that this concession is limited to the
12 existing record and procedural posture. Mr. Charuco-Urrutia does not concede, and
13 expressly reserves, the right to seek habeas relief should circumstances materially
14 change, including but not limited to: (1) unreasonably prolonged detention; (2) the
15 unavailability of any meaningful custody review despite changed circumstances; or
16 (3) detention that ceases to bear a reasonable relation to its purported purpose.
Nothing in Respondents' answer forecloses such future claims, nor could it.

17 Accordingly, while Mr. Charuco-Urrutia acknowledges that immediate
18 habeas relief may not be available at this stage, he respectfully requests that any
19 dismissal be without prejudice to refileing should detention become constitutionally
20 infirm. Mr. Charuco-Urrutia further requests that this Court decline to adopt any
21 reasoning that would improperly foreclose future judicial review of prolonged or
22 arbitrary civil detention.
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1 Dated February 5, 2026.

2 Respectfully submitted,

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4 Rene L. Valladares
Federal Public Defender

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6 /s/ Margaret Lambrose
Margaret Lambrose
7 Assistant Federal Public Defender

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