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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 DOROTEO-CHAVEZ, ALEJANDRO)
8 Petitioner,)
9 V.)
10 KRISTI NOEM, Secretary of)
11 the United States Department of Homeland)
Security; PAM BONDI,)
12 United States Attorney General;)
TODD LYONS, Director of)
13 United States Immigration and Customs)
Enforcement; BRYAN WILCOX,)
14 Field Office Director for Detention and)
Removal, U.S. Immigration and Customs)
15 Enforcement, Department of Homeland)
Security; Warden,)
16 Henderson Detention Center)
UNITED STATES DEPARTMENT OF)
17 HOMELAND SECURITY; UNITED)
STATES IMMIGRATION AND)
18 CUSTOMS ENFORCEMENT;)
19 Respondents)



Detained

Case File No.: 2:26-cv-00049-RFB-DJA

Immigration file No.:
221-461-832

**PETITIONER'S MOTION
FOR LEAVE TO FILE
AMENDED PETITION
FOR WRIT OF HABEAS
CORPUS**

20
21 **MOTION FOR LEAVE TO FILE AMENDED PETITION FOR WRIT
22 OF HABEAS CORPUS**

23 Petitioner Alejandro Doroteo-Chavez ("Petitioner"), by and through
24 undersigned counsel, respectfully moves this Court for leave to file an Amended
25 Petition for Writ of Habeas Corpus pursuant to Federal Rule of Civil Procedure
26 15(a)(2). A proposed Amended Petition is submitted concurrently as Exhibit A.
27
28 Good cause exists for amendment because (1) significant new facts have arisen

1 since the filing of the original petition, including the Immigration Judge’s February
2 2, 2026 bond order; (2) controlling new legal authority has been issued by a federal
3 district court in *W.T.M. v. Bondi*, No. 2:25-cv-02428-RAJ-BAT (W.D. Wash. Jan.
4 30, 2026); and (3) Petitioner has obtained and submitted substantial new evidence
5 of family ties, equities, and assets through his EOIR-42B application, which
6 directly bears on the constitutional and statutory issues raised in this habeas action.
7
8

9 Amendment will promote judicial efficiency, clarify the issues before the Court,
10 and ensure that the petition reflects the full factual and legal record.
11

12 I. LEGAL STANDARD

13 Federal Rule of Civil Procedure 15(a)(2) provides that courts “should freely
14 give leave [to amend] when justice so requires.” The Ninth Circuit applies this
15 standard with “extreme liberality.” *Eminence Capital, LLC v. Aspeon, Inc.*, 316
16 F.3d 1048, 1051 (9th Cir. 2003).
17

18 Leave to amend should be granted unless there is undue delay, bad faith,
19 repeated failure to cure deficiencies, undue prejudice to the opposing party, or
20 futility of amendment. *Foman v. Davis*, 371 U.S. 178, 182 (1962).
21

22 None of these factors is present here.
23

24 II. GOOD CAUSE EXISTS FOR AMENDMENT

25 A. New Evidence Has Arisen Since the Original Petition

26 After the original habeas petition was filed, the Immigration Judge issued a new
27 bond order on February 2, 2026, denying bond based solely on the conclusory
28

1 statement: “The respondent has not demonstrated he is not a flight risk.”

2 This new order is central to Petitioner’s due-process claim and must be
3
4 incorporated into the operative petition.

5 **B. New Controlling Legal Authority Supports Amendment**

6 On January 30, 2026, the U.S. District Court for the Western District of
7
8 Washington issued a detailed habeas decision in *W.T.M. v. Bondi*, holding that an
9 IJ’s reliance on legally insufficient evidence to deny bond violates due process,
10 district courts retain jurisdiction to review such constitutional defects, and
11 immediate release is an appropriate remedy.
12

13 This authority directly supports Petitioner’s claims and did not exist at the time
14 of the original filing.
15

16 **C. Petitioner Has Submitted New Evidence of Family Ties, Assets, and**
17 **Equities**

18 Petitioner’s EOIR-42B application—filed after the original habeas petition—
19 contains extensive evidence demonstrating 29 years of continuous residence in the
20 United States, a U.S. citizen daughter, a long-term marriage, substantial assets,
21 including real property valued at approximately \$350,000, stable employment
22 history, no criminal convictions, and deep community ties in Nevada.
23
24

25 This evidence is directly relevant to the constitutional and statutory analysis
26 under *Singh v. Holder*, 638 F.3d 1196 (9th Cir. 2011) and must be included in the
27 operative petition.
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D. Amendment Will Not Prejudice Respondents

Amendment will not delay proceedings or prejudice the government.

III. AMENDMENT IS NECESSARY TO PROMOTE JUDICIAL EFFICIENCY

The amended petition consolidates all relevant facts and legal authority into a single operative pleading, clarifies the constitutional violations at issue, ensures the Court has a complete record, and avoids piecemeal litigation.

Granting leave to amend will streamline the Court’s review and promote efficient resolution of this habeas action.

IV. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court:

1. Grant leave to file the Amended Petition for Writ of Habeas Corpus;

Respectfully submitted,

/S/ Jeremy Mondejar

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Certification of Service

I hereby certify that the above Motion to Amend was filed with the Clerk of Court via the CMF/EC portal.

/s/ Jeremy Mondejar

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