

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

Civil Action No. 1:26-cv-00271-RBJ

**MIREYA SOTELO RAMOS,**  
Petitioner

v.

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

**ROBERT GAUDIAN,** 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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**JOINT STATUS REPORT AND  
MOTION FOR PROPOSED BRIEFING SCHEDULE**

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On January 22, 2026, Petitioner (“Ms. Sotelo Ramos”) filed a petition for writ of habeas corpus (“Petition”) alleging that U.S. Immigration and Customs Enforcement (“ICE”) was illegally detaining her and seeking an order for her immediate release or, in the alternative, an order that ICE allow her to pay the \$5,000 bond an Immigration Judge (“IJ”) granted her on January 13, 2026. ECF No. 1. Ms. Sotelo Ramos sought the same relief in a motion for a temporary restraining order or preliminary injunction (“Motion”). ECF No. 2. The Petition and Motion also sought an order that Respondents be prevented from transferring her outside of the District of Colorado. ECF 1; ECF 2.

The Court issued an Order on January 23, 2026 (“Order”) requiring, *inter alia*, Ms. Sotelo Ramos to serve Respondents, Counsel for Respondents to enter their appearance, and for Respondents to Show Cause within 14 days of service as to why the Court should not grant Ms. Sotelo Ramos’ petition by releasing her. ECF. No. 8.

Counsel for Respondents, Timothy Bart Jafek, timely entered his appearance on January 26, 2026, ECF No. 10, and Ms. Sotelo Ramos timely completed service on Respondents on January 27, 2026, ECF No. 11. Respondents’ and Ms. Sotelo Ramos’ counsel agree that under the Court’s original order that Respondents must Show Cause on or before February 10, 2026.

The parties now jointly file this status report to advise the Court of changed circumstances relevant to Ms. Sotelo Ramos’ case. In sum, ICE lifted the autostay and allowed Ms. Sotelo Ramos to pay the IJ’s \$5,000 bond. However, ICE appealed to the Board of Immigration Appeals (“BIA”) the IJ’s bond order granting Ms. Sotelo Ramos’ release upon payment of \$5,000 bond. ICE’s Notice of Appeal argues that its authority to detain Ms. Sotelo Ramos is pursuant to 8 U.S.C. § 1225(b)(2) and that she is therefore ineligible for the bond the IJ granted. ICE released Ms. Sotelo Ramos from the Aurora Facility on January 31, 2026, but put on her monitoring requirements such as an ankle monitor along with other check-in requirements not in the IJ’s bond order. ICE’s appeal remains pending.

The facts of Ms. Sotelo Ramos’ original petition have therefore changed. Nevertheless, Ms. Sotelo Ramos maintains that ICE continues to unlawfully keep Ms. Sotelo Ramos in its custody through the ankle monitor and other requirements the IJ did not order. Ms. Sotelo Ramos similarly maintains that ICE’s pursuit of appeal before the BIA could subject her to § 1225(b)(2) detention

in the future should the BIA—as predicted—follow its precedent in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

Because of the changes in facts and additional legal issues regarding Ms. Sotelo Ramos' custody, the parties propose that the Court: (1) vacate and discharge the Court's January 23, 2026 Order, ECF No. 8; (2) dismiss the Motion (ECF 2) as moot; and (3) order a briefing schedule to allow the parties to address the legality of ICE's use of the ankle monitor, ICE's other reporting requirements, and ICE's position that Ms. Sotelo Ramos is subject to § 1225(b)(2) before the BIA. The parties came to an agreement, if amenable to the Court, to follow the proposed briefing schedule:

- Ms. Sotelo Ramos' amended petition for writ of habeas corpus describing the relief now sought and the legal bases for it due February 13, 2026;
- Respondents' response due February 23, 2026;
- Ms. Sotelo Ramos' reply due February 27, 2026.

The parties believe that this proposal will most efficiently address the new relevant legal issues given Ms. Sotelo Ramos' current situation and conserve the Court and the parties' resources by consolidating those issues into the pending matter. *See* Fed. R. Civ. P. 1 (the Federal Rules of Civil Procedure “should be construed, administered, and employed by the court and the parties to secure the just, speedy, and inexpensive determination of every action and proceeding”).

Dated: February 4, 2026

Respectfully submitted,

s/ Timothy Bart Jafek  
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**CERTIFICATE OF SERVICE**

I hereby certify that on Feb. 4, 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/ Conor T. Gleason  
Conor T. Gleason