

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

Civil Action No. 26-cv-00273

ROBERTO HUERTA GONZALEZ,

Plaintiff-Petitioner,

v.

JUAN BALTAZAR, Warden, Denver Contract Detention Facility, Aurora, Colorado, in his official capacity,
ROBERT HAGAN, Director of the Denver Field Office for U.S. Immigration and Customs Enforcement, in his official capacity;
KRISTI NOEM, Secretary of the U.S. Department of Homeland Security, in her official capacity;
TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity;
PAMELA BONDI, Attorney General of the United States, in her official capacity;

Defendants-Respondents.

**PETITIONER-PLAINTIFF'S MOTION FOR AN ORDER ON PENDING MOTION FOR
TEMPORARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION (ECF 5)**

Petitioner-Plaintiff, Roberto Huerta Gonzalez ("Plaintiff") files this motion respectfully seeking an order on his pending Motion for Temporary Restraining Order and/or Preliminary Injunction filed on January 23, 2026 (ECF 5).

Defendants-Respondents ("Defendants") have jailed Plaintiff at the Aurora Contract Facility in Aurora, Colorado for over a month pursuant to its new interpretation of 8 U.S.C. § 1225(b)(2). See ECF 1; ECF 5; See also *Mendoza Gutierrez v. Baltasar, et al.*, 25-cv-2720-RMR, 2025 WL 2962908 (D. Colo. Oct. 17, 2025) (an example of a judge in the district's earlier decision on the same issue presented by Plaintiff here). Plaintiff filed a Verified Petition for Writ of Habeas Corpus (ECF 1) and Motion for Temporary Restraining Order and/or Preliminary Injunction (ECF 5) on January 23, 2026. Plaintiff served Defendants with the Verified Petition for Writ of Habeas Corpus and the accompanying exhibit (ECF 1) and the Motion for Temporary Restraining Order and the Motion's accompany exhibits (ECF 5) on December 17, 2025. See ECF 11.

Nevertheless, as of the date of this Motion, the Court has not issued any orders related to Plaintiff's pending Motion (ECF 5). Plaintiff remains incarcerated and respectfully requests that the Court issue an order.

Plaintiff reached out to Defendants for a position on this Motion. Defendants expressed no position.

Dated: January 30, 2026

Respectfully submitted,

/s/ Daniel Herrera
Daniel Herrera
Hans Meyer
Conor T. Gleason
The Meyer Law Office, PC
1547 Gaylord St.
Denver, CO 8020
(303) 831 0817
daniel@themeyerlawoffice.com
hans@themeyerlawoffice.com
conor@themeyerlawoffice.com

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on January 30, 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/ Daniel Herrera
Daniel Herrera