

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Hahslin Naomi Hernández De La Cruz,

A# 

Petitioner,

v.

Juan Baltazar, et al.

Respondents.

Case No.: 1:26-cv-390CYC

SUPPLEMENT TO APPLICATION FOR WRIT OF HABEAS CORPUS UNDER 28
U.S.C §2241

Petitioner, through undersigned counsel, hereby submits the following Supplement to Application for Writ of Habeas Corpus.

On February 1, 2026, Petitioner filed the above-captioned case. At that time, an appeal of Petitioner's immigration proceedings had not been docketed. However, since that time, undersigned counsel has learned the January 21, 2026 by the Department of Homeland Security appeal had later been docketed by the Board of Immigration Appeal. It is still Petitioner's position that the appeal was untimely as the Immigration Judge ordered that the appeal was due on or before January 16, 2026.

Petitioner is still eligible for a Writ of Habeas Corpus regardless of the appeal.

I, hereby declare under penalty of perjury that I am the Attorney for the Applicant in this action, and that the information in this supplement is true and correct to the best of my knowledge, understanding, and belief. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this supplement: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely

have evidentiary support after a reasonable opportunity for further investigation or discovery; and
(4) the application otherwise complies with the requirements of Rule 11.

Respectfully submitted this 18th day of February 2026,

s/ Kathy Davis
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on February 18, 2026, Petitioner's Supplement to Application for Writ of Habeas Corpus was filed via the CM/ECF system e-filing system which will give notice of such filing to all parties.

Respectfully submitted this 1st day of February 2026,

s/ Kathy Davis
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