

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Magistrate Judge N. Reid Neureiter**

Civil Action No. 1:26-cv-00777

JOSE MILLAN OLIVAS,

Petitioner,

v.

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

Respondents.

---

**MOTION TO PRODUCE  
PETITIONER FOR MOTION HEARING**

---

**INTRODUCTION**

Petitioner JOSE MILLAN OLIVAS, by and through undersigned counsel, respectfully moves this Court to order Respondents to produce him in-person at the Motion Hearing set by the Court for April 2, 2026, at 2:00 PM in Courtroom A 401. *See* ECF No. 16. As this habeas matter concerns the lawfulness of Olivas's continued detention and the hearing will involve case-specific factual and legal issues bearing on that detention, Olivas's presence is necessary so that he may meaningfully participate in the proceedings and assist undersigned counsel in real time.

**CONFERRAL ON MOTION**

Pursuant to D.C.COLO.LCivR 7.1, undersigned counsel for Olivas conferred with counsel for Respondents on March 24, 2026. Respondents oppose the Motion.

**ARGUMENT**

The Court should order Respondents to produce Olivas at the April 2, 2026, hearing because 28 U.S.C. § 2243 requires production of the detained person by the person to whom the writ is directed unless the habeas matter presents only issues of law. 28 U.S.C. § 2243.

That standard is satisfied here. This case concerns the legality of Olivas's continued detention, and the Court has set a hearing on a motion in that habeas proceeding. The hearing does not present purely abstract legal questions divorced from the facts of Olivas's detention and the proceedings that have occurred in his case. Olivas therefore should be present so that he may hear the Court's questions, confer with undersigned counsel, assist in addressing any factual issues that arise, and meaningfully participate in a proceeding directly affecting his liberty.<sup>1</sup>

Ordering production would not unduly burden Respondents. Olivas is already in Respondents' custody, and the hearing has been set for a specific date, time, and courtroom. Under these circumstances, requiring Respondents to produce him for the hearing is a limited and appropriate measure to ensure compliance with § 2243 and to protect the fairness of the proceeding.

**CONCLUSION**

For the reasons set forth above, Olivas respectfully requests that the Court order Respondents to produce him at the hearing set for April 2, 2026, at 2:00 PM.

Dated this 25th day of March 2026.

---

<sup>1</sup> Olivas also anticipates that his U.S. citizen sponsor and longtime family friend, Nicole Vigil, will attend the hearing. Ms. Vigil has served as an advocate for the Olivas family, particularly given the family's language barriers and limitations on direct involvement.

Respectfully submitted,

/s/ Skylar M. Larson  
Skylar M. Larson, Esq.  
8275 E. 11th Ave. # 200176  
Denver, CO 80220  
Tel: (970) 692-3156  
Email: [skylarmlarsonesq@gmail.com](mailto:skylarmlarsonesq@gmail.com)

ATTORNEY FOR PETITIONER

**CERTIFICATE OF SERVICE**

I hereby certify that on March 25, 2026, I electronically filed the foregoing **Motion to Produce Petitioner For Motion Hearing** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

E. Garreth Winstead  
U.S. Attorney's Office  
1801 California Street, Suite 1600  
Denver, CO 80202  
Garreth.Winstead@usdoj.gov

/s/ Skylar M. Larson  
Skylar M. Larson, Esq.

ATTORNEY FOR PETITIONER