IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 26-cv-00864-GPG

VICENTE JAVIER JIMENEZ CHAUCA,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security;
PAMELA BONDI, U.S. Attorney General;
GEORGE VALDEZ, Acting Field Office Director, Denver Field Office, Immigration and Customs Enforcement; and
JUAN BALTAZAR, Warden of Denver Contract Detention Facility;

Respondents.

APRIL 1, 2026, STATUS REPORT

Respondents respectfully submit this *Status Report* pursuant to the Court's *Minute Order* (D. 12), and Respondent's *March 25, 2026, Status Report* (D. 11 at 4).

1. On March 13, 2026, Court ordered Respondents to provide Petitioner with a bond hearing under § 1226(a) within SEVEN DAYS of the Order "at which Respondents bear the burden of proof of showing his continued detention is proper and was proper at the time of his arrest." ("Order" D. 10 at 3).

2. The events leading up to Respondent's *March 25, 2026, Status Report* are detailed in that report. (D. 11, 1–3).

3. In summary, a bond hearing was held on March 20, 2026. The IJ denied bond on the basis that Petitioner did not meet his burden to show he was not "significant flight risk such that release from custody is warranted." (*Id.* ¶ 4). The IJ appears to

have applied the default procedure to the bond hearing, placing the burden on Petitioner, with neither party catching the error. (*Id.* ¶ 8).[1]

4. Petitioner's counsel notified undersigned counsel of the IJ's non-compliance on March 23, 2026. (*Id.* ¶ 5)

5. Respondents filed the *March 25, 2026, Status Report*, informing the Court and requesting that the Court order another status report be submitted on or before April 1, 2026, reporting the status of the request for a new bond hearing or the result of any such hearing. (*Id.* at 4).

6. The Court ordered Respondents to file this Status Report no later than April 1, 2026. (D. 12).

7. On the evening of March 25, 2026, Petitioner's immigration counsel filed an unopposed motion requesting a new bond hearing to comply with the Order and requesting that such hearing take place within three days of that motion. (D. 13, 2).

8. On March 30, 2026, the immigration court issued a notice that the new bond hearing was scheduled for April 2nd at 2:30 p.m. (*Id.*).

9. Petitioner filed his *Motion to Enforce* on March 31, 2026, seeking his immediate release. (*Id.*).

10. The new bond hearing is set for April 2, 2026, at 2:30 p.m.

Based on the foregoing, Respondents respectfully request that the Court order Respondents to file a status report on or before April 3, 2026, reporting the result of the

[1] Likewise, neither party addressed whether Petitioner's detention was proper at the time of his arrest.

new bond hearing. Petitioner opposes this request, and instead seeks immediate release as set forth in his *Motion to Enforce* (ECF 13 at 2).

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CERTIFICATE OF SERVICE

I hereby certify that on April 1, 2026, I electronically filed the foregoing with the Clerk of the Court using the ECF system which will send notification of such filing to CM/ECF participants.

s/ William Gillespie
Assistant U.S. Attorney