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IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

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ARMANDO JESUS TORRES MEDINA,

Petitioner,

vs.

EVAN TJADEN, Acting Field Office  
Director Salt Lake City Enforcement and  
Removal Operations, U.S. Immigration and  
Customs Enforcement (ICE/ERO); KRISTI  
NOEM, Secretary United States Department  
of Homeland Security; and PAMELA  
BONDI, U.S. Attorney General,

Respondents.

Case No. 2:26-cv-00195-JNP-DBP

**RESPONDENTS' OPPOSITION TO  
PETITIONER'S EMERGENCY  
MOTION TO STAY TRANSFER  
DURING PENDENCY OF PETITION  
AND REQUEST TO CONTINUE  
HEARING ON ORDER TO SHOW  
CAUSE TO PERMIT PETITIONER'S  
ATTENDANCE AT IMMIGRATION  
COURT HEARING**

District Judge Jill N. Parrish  
Magistrate Judge Dustin B. Pead

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**1. INTRODUCTION**

Petitioner Armando Jesus Torres Medina (Mr. Torres) has been detained by ICE<sup>1</sup> under 8 U.S.C. § 1225(b)(2)(A) and is currently subject to removal proceedings. Mr. Torres has filed a petition for writ of habeas corpus asking for an order that he be given a bond hearing under 8

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<sup>1</sup> "ICE" of course stands for U.S. Immigration and Customs Enforcement.

U.S.C. § 1226(a) and for other relief. (Dkt. 9 [Am. Petition]). Respondents have filed their Response to the Court's Order to Show Cause why his Petition Should not be Granted. (Dkt. 6, 18). Respondents oppose the petition and maintain that Mr. Torres is being lawfully detained.

In the meantime, Mr. Torres's counsel has filed an "Emergency" Motion to Stay which asks the Court to order Respondents not to transfer Mr. Torres outside the District of Utah to facilitate his access to counsel. Respondents understand the importance of access to counsel. But Mr. Torres's request ignores the realities of ICE detention in our district.

Given the logistics of ICE detention in our district, it is both impractical and unnecessary to order Respondents to keep Mr. Torres within our district. Therefore, Respondents ask the Court to deny the motion, and instead to leave in place its prior order, pending the resolution of the habeas petition, to preclude Respondents only from removing Mr. Torres from the United States unless and until the Court orders otherwise and from transferring Mr. Torres to a facility where he could not be transported and made available for in-person hearings. (Dkt. 6 at 4 ¶ 3).

In addition, because Mr. Torres is currently scheduled for a master calendar hearing before an immigration judge on March 18, 2026 at 9:00am, which is the same time that the Court has scheduled an in-person hearing on his writ petition, the United States asks the Court to continue that hearing date or time, so that Mr. Torres does not have to miss his immigration court hearing.

**2. THE LOGISTICS OF ICE DETENTION WOULD MAKE IT IMPRACTICABLE AND UNREASONABLE TO ORDER THAT MR. TORRES CONTINUE TO BE DETAINED IN UTAH**

Mr. Torres has been detained in the Tooele County Jail. However, ICE generally may detain a noncitizen in that county jail for no more than 72 hours. There are no long-term ICE detention facilities in Utah. Therefore, ICE consistently will seek to move such detainees to a long-

term detention facility out of the district. ICE tries to move detainees who are litigating habeas petitions in our local federal court to the nearest long-term detention facility with available space.

Currently, for someone detained in the Salt Lake City area, the nearest long-term detention facility with availability to detain Mr. Torres is the Sweetwater County Detention Center in Rock Springs, Wyoming.<sup>2</sup> Therefore, ICE is in the process of arranging to transfer Mr. Torres to the Sweetwater County Detention Center. From there, as necessary, ICE should be able to bring him back to Salt Lake City to attend federal court hearings in person.

But trying to keep Mr. Torres detained long-term in a Utah jail would be impracticable. Nor would it be reasonable to expect ICE to come up with some system for shuffling Mr. Torres back and forth between some other detention facility in Utah. Therefore, the Court should deny the motion to stay and leave its current transfer order in place.

**3. THE COURT SHOULD CONTINUE OR RESCHEDULE THE HEARING ON MR. TORRES'S HABEAS PETITION TO FACILITATE HIS APPEARANCE AT HIS IMMIGRATION COURT HEARING**

As noted above, on March 18, 2026 at 9:00am, Mr. Torres is currently scheduled for an immigration hearing related to his asylum petition. (See Dkt. 9-9 [EOIR Automated Case Information]). This is the very same time that this Court has currently set a hearing on Mr. Torres's habeas petition. If Mr. Torres has to reschedule his immigration hearing, it could take some time for him to get another hearing. Therefore, for his own sake and to facilitate his removal proceedings, the United States asks that the Court reschedule the hearing on his habeas petition.

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<sup>2</sup> This is according to the latest update from ICE counsel.

#### 4. CONCLUSION

The United States appreciates Mr. Torres's counsel's efforts to communicate with his client. The United States also appreciates the Court's sensitivity to the logistical and time constraints that Federal Respondents and ICE, in general, are working under. But given those constraints, the United States asks the Court not to order that Mr. Torres not be transferred out of this district. Keeping him in the district would not be practicable. And he is likely already in, or soon to be in, the process of being transferred to the Sweetwater County Detention Center.

DATED: March 12, 2026.

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*/s/ Todd C. Bouton*

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