UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
MAY 14 2026
JEFFREY P. COLWELL
CLERK

Petitioner:
Gerson Iván Rivera Fernández
[redacted]

v.
Respondents:
Director of ICE / Warden of Aurora ICE Processing Center

Case No. 1:26-cv-01107-DDD

EMERGENCY MOTION TO STAY REMOVAL

Petitioner, Gerson Iván Rivera Fernández, respectfully requests that this Court issue an emergency stay of removal pending resolution of his active habeas corpus petition.

Petitioner is currently detained at the Aurora ICE Processing Center in Aurora, Colorado. On May 8, 2026, an order of removal was issued against him, and ICE informed him that he would be deported to Honduras.

Petitioner fears returning to Honduras because he believes he is at risk of serious harm related to the MS-13 gang. Deportation before the resolution of this habeas action could cause irreparable harm and would interfere with meaningful judicial review of the constitutional and procedural issues raised in this case.

Petitioner further states that:

1. The habeas corpus case remains active before this Court.

2. Petitioner has raised concerns regarding due process violations during immigration proceedings.

3. Petitioner experienced multiple judge changes during his immigration proceedings.

4. A previously submitted motion for bond hearing was

never meaningfully addressed.

5. Petitioner had previously been informed that his immigration hearing was scheduled for June 3, 2026. However, the hearing was abruptly advanced to May 8, 2026, significantly limiting Petitioner's ability to fully prepare and gather supporting evidence.

6. Deportation prior to judicial review could render the pending habeas action effectively moot.

WHEREFORE, Petitioner respectfully requests that this Court:

A. Immediately stay Petitioner's removal from the United States;

B. Prevent ICE from deporting Petitioner while this habeas case remains pending; and

C. Grant any additional relief the Court deems proper.

Respectfully submitted,

Gerson Ivan Rivera Fernandez.

Gerson Iván Rivera Fernández
Petitioner Pro Se
[redacted]

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