**DALJIT GHUMAN**
GHUMAN LAW GROUP
2450 VENTURE OAKS WAY STE 225,
SACRAMENTO, CA
PHN 916-692-9052
dolce@ghumanlawgroup.com

Attorneys for Petitioner

**UNITED STATES DISTRICT COURT**
**DISTRICT OF COLORADO**

SAINI

Petitioner,

**v.**

BALTAZAR, ET AL

Respondents.

Case No. 26-cv-1861 JO MMP

**PETITIONER'S REQUEST TO DEEM MOTION FOR TRO/PI UNOPPOSED AND RIPE FOR CONSIDERATION**

**i. Request to deem motion unopposed**

On March 20, 2026, this Court ordered Respondents to submit reply to Petitioner's motion by March 30, 2026. Respondents have failed to file a response and have not requested an extension. Respondents were served and notified of the Petition and this motion. Petitioner, therefore, asks the Court to deem the motion, as unopposed.

Respondents are undoubtedly extremely busy. However, the situation is one of their own making. Respondents decision not to properly staff the litigation arm of their

mass detention efforts should not serve as justification to allow them to ignore Court orders or to prolong proceedings challenging the legality of the detention.

**ii. Request for order of 'immediate release' (as opposed to bond hearing)**

Respondents' disinterest in these proceedings is also further evidence that, the only adequate, and appropriate remedy in this case is an order of immediate release. *See also* TRO Mtn at 11-12 (ECF No. 3). The Court should have little confidence that Respondents will comply with an order to provide a neutral, timely, statutorily and Constitutionally sufficient bond hearing if the Court directs that as relief where they have not participated or complied with this Court's order in this case. One court recently compiled an appendix that identifies *at least* 96 court orders that ICE has violated in 74 cases since January 1, 2026. Juan T.R. v. Noem, No. 26-CV-0107, 2026 U.S. Dist. LEXIS 20363, 2026 WL 232015, at *1 (D. Minn. Jan. 28, 2026) ("ICE has likely violated more court orders in January 2026 than some federal agencies have violated in their entire existence.").

The Immigration Courts are no better positioned or inclined to comply with Court orders than are DHS or other components of Department of Justice. If anything, the Immigration Courts, even assuming the best of intentions, are ill-equipped to afford timely and adequate bond proceedings given the firehose of new bond and removal cases that added to their queues each day coupled with mass termination and resignation of immigration judges. Reports from across the country are mounting and demonstrate that Immigration Courts are either incapable or unwilling, in many cases, of providing adequate custody proceedings. See e.g. Kyle Cheney, Judges keep ordering immigration hearings – but say the results are a sham, Politico, Mar. 6, 2016, available at https://www.politico.com/news/2026/03/06/immigrationcase-hearings-judges-00815660; Solano v. Mason, No. 2:26-cv-00045, 2026 U.S. Dist. LEXIS 24316, at *54-55 (S.D. W. Va. Feb. 4, 2026)[1]; R.R.C. v. Streeval, No. 4:25-CV-525 (CDL), 2026 U.S. Dist. LEXIS

[1] From the Solano decision: "Further, former legal counsel to ICE Headquarters in Washington, D.C. and former "Assistant Chief Counsel for ICE in Virginia," has attested to his firsthand observation and experience that, since the beginning of January 2026, **detainees "who were**

53275, at *7-8 (M.D. Ga. Mar. 16, 2026);. Ulloa Bueno v. Soto, No. 26-CV-896, 2026 WL 509102, at *2 (D.N.J. Feb. 24, 2026) (granting immediate release after immigration judges twice failed to conduct a neutral bond hearing with the burden on DHS: "Continued detention in the face of repeated noncompliance with explicit judicial directives constitutes an ongoing deprivation of liberty without constitutionally sufficient process."); Pedroso de Oliveira v. Freden, No. 6:25-CV-6663 2025 WL 3554686, at *1 (W.D.N.Y. Dec. 11, 2025); Akhemedov v. Pittman, No. CV 2513734 (MCA), 2026 WL 323404, at *4 (D.N.J. Feb. 6, 2026) (ordering second bond hearing because at the first court-ordered hearing, the IJ did not clearly put the burden of proof on DHS as the habeas court had required); A.D. v. Oddo, 3:25-cv-460-SLH-MPK, Dkt. No. 40 (W.D.P.A. Feb. 12, 2026) (granting motion to enforce and ordering immediate release where IJ did not provide correct interpreter, then incorrectly called the petitioner "evasive" in denying bond); ; Said v. Noem, 3:25-cv-938-MOC (W.D.N.C, Feb. 4, 2026) (granting TRO where immigration judge's refusal to consider testimony and declarations, or let petitioner defend himself against unauthenticated assertion he had not complied with a prior condition of release, likely violated due process); Picado v. Hyde, 26-cv-65-JJM-PAS (D.R.I. Feb. 9, 2026) (granting immediate release where Picado had "two bond hearings that two separate judges have found to be deficient," including an immigration judge finding that an uncorroborated police report that Picado was speeding constituted clear and convincing evidence he was a danger to the community); Santos v. Lowe, No. 1:18-cv-1553, No. 2020 WL 4530728, at *3 (M.D. Pa. Aug. 6, 2020) (after court-ordered bond hearing for § 1226(c) prolonged detention claim, finding that "[m]echanistic reliance on factors that are common to all 1226(c) detainees will not suffice"); Luciano-Jimenez v.

---

**granted federal habeas relief and ordered § 1226(a) bond hearings are now being systematically denied bond based on rationales that would not have been deemed sufficient weeks earlier," in what "appears to be a systematic effort to nullify the constitutional protections that federal courts have recognized and enforced through habeas corpus."** (ECF No. 24-1 at ¶¶ 26, 32 (declaration of Jorge E. Artieda under penalty of perjury pursuant to 28 U.S.C. § 1746).) Thus, there is little chance the Government would actually hold a bond hearing, and there is no chance any hearing that occurred would comport with due process." **(emphasis added)**

Doll, 543 F. Supp. 3d 69, 72 (M.D. Pa. 2021) (finding court ordered bond hearing was not individualized and granting federal court hearing).

iii. Conclusion

Petitioner, father to an infant U.S. citizen child, remains in immigration custody. He has resided in the U.S. lawfully and with explicit permission from Respondents and is now detained arbitrarily and without cause by Respondents. Petitioner asks the Court to grant his unopposed motion and to order his immediate release from Respondents' custody.

//

Respectfully submitted this 31st Day of March 2026,

/S/DALJIT GHUMAN
**DALJIT GHUMAN**
GHUMAN LAW GROUP
2450 VENTURE OAKS WAY STE 225,
SACRAMENTO, CA
PHN 916-692-9052
dolce@ghumanlawgroup.com
Attorneys for Petitioner