UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No.: 26-cv-01176-PAB

CESAR QUEZADA PACHECO,

Petitioner,

v.

JUAN BALTAZAR, Acting Warden, Aurora ICE Processing Center,
GEORGE VALDEZ, Acting Field Office Director, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security,
MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security, in their official capacities,

Respondents.

PETITIONER'S OPPOSED MOTION TO ALTER OR AMEND JUDGMENT (ECF No. 15)

Petitioner, Cesar Quezada Pacheco, by and through undersigned counsel, respectfully moves this Court under Rule 59(e) of the Federal Rules of Civil Procedure to alter or amend its judgment entered on May 5, 2026 (ECF No. 15). In support of this motion, the Petitioner relies on the accompanying memorandum.

As explained in the memorandum, the motion is sought to correct a clear error of law and to correct a manifest injustice. Petitioner contends that as a person with a final order of removal who was never detained during the 90-day removal period, the sole statute governing the government's detention decisions is 8 U.S.C. § 1231(a)(3), which required it to place him on an Order of Supervision. The fact that the government ignored that statutory command does not relieve it of its obligations to follow minimal due process procedures prior to revoking his liberty.

Counsel for Petitioner has conferred with Counsel for Respondents and is authorized to state that Respondents oppose the motion.

RESPECTFULLY SUBMITTED this 2nd day of June 2026

s/ Mark R. Barr
Mark R. Barr
Counsel for Petitioner

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CERTIFICATE OF SERVICE

I certify that on June 2, 2026 (MDT), I electronically filed the foregoing PETITIONER'S OPPOSED MOTION TO ALTER OR AMEND JUDGMENT (ECF No. 15) with the Clerk of Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/ Mark R. Barr
Mark R. Barr
Counsel for Petitioner