UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

RICARDO RIVERA PEREZ,

Petitioner,

v. Case No. 8:26-cv-926-SDM-NHA

BOB GUALTIERI, ET AL.,

Respondents.
_____/

UNOPPOSED MOTION FOR CONTINUANCE OF DEADLINE DUE TO RESCHEDULED BOND HEARING

In the instant motion, Federal Respondents request a continuance of their deadline to notify the Court following the conclusion of a bond hearing for Petitioner, on the grounds the hearing went forward as scheduled but was adjourned and rescheduled at Petitioner's request. The motion is unopposed.

On Thursday, May 14, 2026, the Executive Office of Immigration Review held what was scheduled as a bond hearing for Petitioner Ricardo Rivera Perez. (*See* Exhibit A, Bond Order.) Petitioner, who was represented by counsel, appeared at this bond hearing.[1] At the outset of the hearing, Petitioner's counsel requested a $1,500 bond, arguing that due to Petitioner's ties to the community, he was not a flight risk.

[1] The bond hearing was recorded, and a copy of the audio file was made available to the undersigned by agency counsel after the Clerk's Office closed on May 15, 2026. The undersigned has listened to the audio file and has included this summary of the sequence of events at the hearing based on the audio file. A physical copy of the audio recording will be delivered to the Clerk's Office on Monday, May 18, 2026. (Exhibit B, Audio Recording of May 15, 2026 Bond Hearing.)

Petitioner's counsel also informed the Immigration Judge that Petitioner's criminal record included a 1996 conviction for disorderly conduct, as well as five incidents for driving without a license. The Immigration Judge then asked Petitioner's counsel about the factual basis underlying his prior disorderly conduct conviction. After Petitioner's counsel was unable to answer, the Immigration Judge spoke to Petitioner directly, through a translator, and asked Petitioner to testify under oath about the factual bases underlying the disorderly conduct arrest. Petitioner testified that, given the length of time, he did not remember the circumstances of the arrest, where he was arrested, or what the subsequent legal proceedings entailed. At that point, Petitioner's counsel asked the Immigration Judge to allow Petitioner to withdraw the request for bond so that he could seek more information about the circumstances of the disorderly conduct conviction. (*See* Ex. A, p. 1.) The Immigration Judge agreed and informed Petitioner that he would adjourn and reschedule the bond hearing and would "speak to [Petitioner] on another date to review [his] application for bond." Counsel for the government did not speak at all during the hearing. Petitioner's bond hearing has now been rescheduled for May 21, 2026, at 10:30 a.m. (Exhibit C, Notice of Rescheduled Bond Hearing.)

Based on the foregoing, Federal Respondents respectfully request that the Court continue their deadline to file a paper confirming that the rescheduled bond hearing has taken place by extending such deadline through and including Tuesday, May 26, 2026, in light of the upcoming holiday weekend. Petitioner's counsel does not oppose the request for continuance.

When an act must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires; or (B) on motion made after the time has expired if the party failed to act because of excusable neglect. Fed. R. Civ. P. 6(b)(1). To establish good cause, "some showing of good faith on the part of the party seeking enlargement and some reasonable basis for noncompliance within the time specified is normally required." *Lowe v. Hart*, 157 F.R.D. 550, 553 (M.D. Fla. 1994).

Good cause exists to continue Federal Respondents' deadline to file a paper confirming that Petitioner's bond hearing has taken place. As set forth above, the bond hearing was continued based on circumstances wholly outside the Federal Respondents' control, and it was promptly rescheduled. As indicated on the record, the Immigration Judge communicated to Petitioner that he intends to proceed with a bond hearing on the merits. Accordingly, Federal Respondents request a continuance of their deadline to file a notice confirming that a bond hearing has taken place and specifically request an extension through and including Tuesday, May 26, 2026, due to the upcoming holiday weekend.

LOCAL RULE 3.01(G) CERTIFICATION

Pursuant to Local Rule 3.01(g), the undersigned spoke to Petitioner's counsel via email on Friday, May 15, 2026, about his position on the relief requested herein. The undersigned is authorized to represent that Petitioner's counsel does not oppose the request for a continuance.

Dated: May 15, 2026

Respectfully submitted,

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