

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

CARLOS M. SALMERON PASTORA,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

Civil Action No. 1:26-cv-01300-BAH

RESPONDENTS' RESPONSE TO ORDER TO SHOW CAUSE

Respondents, by and through undersigned counsel, hereby submit the following Notice to the Court in Response to the Order to Show Cause issued on April 2, 2026 at ECF 4.

The Order to show cause specifies that Respondents are directed to show cause as to why the Court should not treat the instant habeas petition in the same manner and order the same relief issued in similar cases cited in the Court's order, and not order immediate release. It also notes that Respondents may incorporate by reference their arguments in those cases and shall present any objection or challenge unique to this action, including as to the factual allegations set forth in the Petition.

Respondents hereby provide the following response:

I. The Petitioner was not in Maryland at the time the Petition for Writ of Habeas was filed

The Writ of Habeas corpus was filed on April 2, 2026 at 10:13 a.m. According to information and belief, Petitioner Carlos Salmeron Pastora ("Petitioner") left the Baltimore on April 2, 2026 at 8:00 a.m. and was checked into the Arizona Removal Operations Coordinate Center on April 2, 2026 at 8:00 p.m. Due to the Order to Show Cause being received on April 2,

2026 at 11:21 a.m. with a deadline of April 3, 2026, Respondents did not have the time necessary to procure the evidence normally used to address the jurisdictional issues.

II. Respondent's Object to the Immediate Release of Petitioner for a Bond hearing

The Court's Show Cause Order relies on an order issued by Judge Gallagher in *Vasquez Sanchez v. Noem*, Civ. No. 26-00331-SAG, ECF 11, at 1 (entered January 30, 2026) for the proposition that immediate release is the appropriate remedy. However, in that case Petitioner had been detained in Baltimore for several days by the time the Court took up the Petition; a motion for bond hearing had already been filed and a bond hearing in Maryland had already been scheduled. Under those specific circumstances Judge Gallagher found that "immediate release is the appropriate remedy to ensure Petitioner can prepare for and attend an upcoming bond hearing." That is not the case here. Upon information and belief, Petitioner was booked in to the Baltimore Hold Room on March 31, 2026 at 4:42 p.m. and left on April 2, 2026 at 8:00 a.m. Furthermore, there is no pending bond hearing, and the Respondents counsel is still waiting for documents and information that we have not received in the little over 24 hours Order by this court to respond to the Order to Show Cause.

III. Conclusion

For the reasons set forth above in the Court's Order to Show Cause, Respondents request that the case be transferred. But should the Court decide it has jurisdiction, Respondent's rely on the briefs and arguments presented by Respondents in the cases cited by the Court with respect to issues of jurisdiction and statutory construction regarding Petitioner's entitlement to a bond hearing under 8 U.S.C. § 1226(a), and believe no further briefing or hearing is necessary, and object to immediate release. If the Court orders a bond hearing under 8 U.S.C. § 1226, then the Respondent's request that the Court include the following in any such Order:

- a. Petitioner is detained under 8 U.S.C. § 1226 and Respondents are enjoined from detaining Petitioner under 8 U.S.C. § 1225(b);
- b. Petitioner is entitled to a bond hearing consistent with 8 C.F.R. §§ 236.1(d), 1003.19 and 1236.1(d), which shall be held within 14 days of the **Petitioner's filing of a motion with the Immigration Court** with meaningful consideration by the Immigration Judge of applicable, relevant factors;
- c. The bond hearing may be conducted by any Immigration Judge having jurisdiction or administrative control over Petitioner's detention or having administrative control over Petitioner's immigration case or removal proceedings and need not take place in Maryland; but, Petitioner must be present (in person or by video) and able to participate in the hearing;
- d. If bond is granted and Petitioner is released, then nothing in this Order precludes Respondents from imposing reasonable conditions of release;
- e. **Petitioner shall file a status report with this Court** if a bond hearing is not held by an Immigration Judge within 14 days of the filing of a motion for a bond hearing;
- f. **Petitioner shall file a status report** within 14 days of this Order.
- g. Any request for attorney's fees and costs is denied.

Dated: April 3, 2026

Respectfully submitted,

Kelly O. Hayes
United States Attorney

By: /s/ Ivory Macklin
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Counsel for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 3, 2026, a copy of the foregoing Joint Status Report was served electronically on all parties and counsel receiving service via CM/ECF in this case.

/s/ Ivory Macklin
Ivory L. Macklin
Special Assistant United States Attorney