Rene L. Valladares
Federal Public Defender
Nevada State Bar No. 11479
*Jennifer Joseph
Assistant Federal Public Defender
New York No. 5500038
411 E. Bonneville Ave., Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577
Jennifer_Joseph@fd.org

*Attorney for Petitioner Manuel Garcia Ugalde

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Manuel Garcia Ugalde,

Petitioner,

v.

David Venturella, *et al.*,

Respondents.

Case No. 2:26-cv-01243-APG-EJY

Notice of Class Membership

Petitioner hereby notifies this Court that he is a member of the certified class in *Jacobo-Ramirez v. Mullin*, No. 2:25-cv-02136-RFB-MDC (D. Nev.), currently pending in this District. Petitioner entered the United States without admission or parole, was placed in removal proceedings, was previously released from DHS custody on an order of recognizance, and was later re-detained.[1] Those facts place him within the class addressed by the declaratory judgment and vacatur issued in *Jacobo-Ramirez v. Mullin*, No. 2:25-cv-02136-RFB-MDC, 2026 WL 879799 (D. Nev. Mar. 30, 2026).

[1] *See* ECF No. 9 at 8.

Under *Jacobo-Ramirez*, Petitioner may not be detained under 8 U.S.C. § 1225(b). His continued detention must therefore be justified, if at all, through the custody process available under 8 U.S.C. § 1226(a) and consistent with due process. Although Petitioner initially appeared for a bond proceeding, the Immigration Judge never made a custody redetermination. Instead, the IJ permitted withdrawal or dismissal without prejudice and instructed Petitioner to submit address, employment, and sponsor information and request a new bond hearing. Petitioner did so. The immigration court received those materials but never adjudicated the renewed custody request.

Release is appropriate because Petitioner was previously released on an order of recognizance and placed on the non-detained docket. Restoring that prior custody status would return Petitioner to the position he occupied before Respondents re-detained him without completing the required process. Petitioner therefore remains detained without the process provided to him by the Constitution and recognized in *Jacobo-Ramirez*.

In the alternative, the Court should order Respondents to provide a prompt, constitutionally adequate bond hearing under § 1226(a), at which Respondents bear the burden of justifying detention by clear and convincing evidence.

Dated June 4, 2026.

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/ Jennifer Joseph
Jennifer Joseph
Assistant Federal Public Defender