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

Opposition to Federal Respondents' Motion for Extension of Time to File a Response to Petitioner's Amended Petition for Writ of Habeas Corpus (Second Request)

Petitioner opposes Federal Respondents' second request[1] for an extension of time. Respondents were already granted a one-week extension[2] to file their response to the Amended Petition and now seek another full week.

Respondents' motion states that Petitioner had a bond hearing today, June 17, 2026, at 3:00 p.m., and that the result of that hearing "will potentially affect the analysis" of their response.[3] But Respondents fail to explain why it would take

[1] ECF No. 19.

[2] ECF No. 18.

[3] ECF No. 19 at 1.

another full week to learn the outcome of the hearing. If the hearing occurred, Respondents should be able to report what occurred and address its legal significance promptly. If the hearing did not occur, that fact likewise should be reported promptly. Either way, the occurrence and outcome of a bond hearing is not the type of information that requires an additional seven days to investigate.

The timing also undercuts Respondents' showing of diligence. At 1:44 p.m. today, Respondents' counsel emailed undersigned counsel stating that he "was told by DHS" that Petitioner was scheduled for a bond hearing at 3:00 p.m. pursuant to *Jacobo-Ramirez* and that he would follow up regarding the outcome. Undersigned counsel was due in court in another matter fifteen minutes later and did not have time to call Petitioner. Regardless, approximately one hour and fifteen minutes' notice was not a meaningful opportunity for undersigned counsel to contact Petitioner, determine whether he understood what was happening, ensure he had the materials needed to represent himself, or take any other reasonable steps to protect his liberty interest in being free from detention absent lawful process, which is the subject of the Amended Petition.[4]

Moreover, Respondents' response was due today. If Respondents did not learn of the 3:00 p.m. bond hearing until shortly before counsel notified undersigned counsel at 1:44 p.m., then Respondents presumably had been preparing the response they were required to file today and should be able to file it promptly with any limited update regarding the hearing outcome. If, on the other hand, Respondents knew earlier that a bond hearing had been scheduled, then the last-minute notice to undersigned counsel only underscores the lack of diligence and the prejudice to Petitioner. Neither scenario supports another full week of delay.

---

[4] *See* ECF No. 9.

This case concerns ongoing detention. Each additional extension prolongs the period during which Petitioner remains detained while the legality of that detention is unresolved. Rule 6(b) requires good cause, and good cause requires diligence. Respondents' generalized references to staffing limitations, competing deadlines, and the need to review information do not justify a second full extension where they already received additional time for the same stated purpose and where the new information is simply the outcome of a hearing scheduled today.

Petitioner does not seek to prevent this case from being resolved on the merits. To the contrary, Petitioner seeks prompt merits review of an Amended Petition challenging ongoing detention. This Court should require Respondents to file their response no later than June 18, 2026.

Dated June 17, 2026.

Respectfully submitted,

Rene L. Valladares
Federal Public Defender

/s/ Jennifer Joseph
Jennifer Joseph
Assistant Federal Public Defender