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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

Wuanerge ALBERTO-ALVARENGA, [redacted] Petitioner, v. **RICHARD A. AUMILLE,** in his official capacity as Warden of Seneca County Jail; **MERRICK GARLAND**, Attorney General of the United States; **ALEJANDRO MAYORKAS**, Secretary of the Department of Homeland Security; **TROY MILLER**, Acting Commissioner, U.S. Customs and Border Protection; **SEAN G. SMITH**, Ohio Field Office Director, U.S. Immigration and Customs Enforcement, Respondents.	Civil Action No.: 3:25-cv-02644-JRK JUDGE JAMES R. KNEPP II MAG. JUDGE GREENBERG **PETITIONER'S MOTION TO ENFORCE COURT ORDER REQUIRING BOND HEARING**

I. BACKGROUND

This Court previously ordered that Petitioner be afforded a bond hearing.

Respondents opposed enforcement based on the claim that Petitioner was subject to a final

removal order.

II. THE BASIS FOR NON-COMPLIANCE HAS BEEN ELIMINATED

As of March 19, 2026, the circumstances previously cited by Respondents to justify non-compliance with this Court's Order have been definitively resolved. Petitioner's appeal has been accepted and docketed by the Board of Immigration Appeals, and remains actively pending, thereby confirming that administrative proceedings are ongoing. (See **Exhibit A**.) Accordingly, Respondents' continued reliance on 8 U.S.C. § 1231 is no longer tenable, and provides no lawful basis to delay or avoid compliance with this Court's Order requiring a bond hearing.

III. CONTINUED DETENTION WITHOUT A BOND HEARING VIOLATES THE COURT'S ORDER

Respondents' continued failure to provide Petitioner with a bond hearing in accordance with this Court's Order constitutes a clear violation of that Order, unlawfully prolongs Petitioner's detention, and results in ongoing irreparable harm. Absent immediate compliance, Petitioner remains subjected to detention without the procedural safeguards expressly mandated by the Court.

IV. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court enter an Order: (1) directing Respondents to provide Petitioner with a bond hearing within seven (7) days; (2) requiring Respondents to promptly report compliance to the Court; and (3) granting such other and further relief as the Court deems just and proper.

Dated: March 19, 2026

Respectfully submitted,

/S/ Roman V. Gambourg

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CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(f)

I certify that this Motion to Enforce Court Order Requiring Bond Hearing complies with the page limitations set forth in Local Rule 7.1(f) of the United States District Court for the Northern District of Ohio. This case is unassigned, and the foregoing Motion is within the applicable page limitations, exclusive of the caption, signature block, and certificate.

Dated: March 19, 2026

Respectfully submitted,
/S/ Roman V. Gambourg

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Attorney for Petitioner

PROOF OF SERVICE

I hereby certify that on March 19, 2026, a true and correct copy of the foregoing **Petitioner's Motion to Enforce Court Order Requiring Bond Hearing** was served via the Court's CM/ECF system upon all counsel of record.

Date: March 19, 2026

/S/ Roman V. Gambourg

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