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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Dilan Coronado Serrano,

Petitioner,

v.

Pam Bondi, *et al.*,

Respondents.

Case No. 2:26-cv-00684-GMN-BNW

**Motion for Limited Discovery in Support of Amended Petition for Writ of Habeas Corpus**

**and**

**Motion for Extension of Time to File Amended Petition**

## POINTS AND AUTHORITIES

### I. Background

Petitioner Dilan Coronado Serrano filed his pro se Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241 on March 9, 2026.[1] In his petition, Petitioner challenges his detention in ICE custody and the denial of his bond on December 9, 2025.[2] This Court appointed the Federal Public Defender's Office on March 10, 2026, and upon counsel's appearance, the court ordered Petitioner to file an amended petition in 7 days or indicate that an amended petition is unnecessary.[3] Counsel appeared for Petitioner on March 13, 2026.[4] Petitioner now seeks limited discovery regarding his bond hearing, which he needs to prepare his amended petition, and an extension of time to file the amended petition, which is currently due March 20, 2026..

### II. Good cause exists for limited discovery and a modest extension of the amended petition in this case.

Rule 6 of the Rules Governing Section 2254 Cases (hereinafter "§ 2254 Rules") provides that a district court can, "for good cause," authorize a party to conduct discovery under the Federal Rules of Civil Procedure.[5] There is good cause to permit discovery "where specific allegations before the court show reason to

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[1] ECF No. 1.

[2] ECF No. 4 at 2.

[3] ECF No. 3.

[4] ECF No. 6.

[5] The § 2254 Rules state that they may be applied to habeas petitions brought under other statutes, and both the Ninth Circuit and courts in the Central District of California have routinely applied those rules to habeas cases brought under 28 U.S.C. § 2241. *See* § 2254 Rule 1(b); *Lane v. Feather*, 584 F. App'x 843, 843 (9th Cir. 2014) (unpublished); *Butler v. Sanders*, No. CV 10-8010-CAS-CW, 2010 WL 4924695, at *1 (C.D. Cal. Dec. 2, 2010); *Liquori v. Sanders*, No. CV 09-9256-PSG-CW, 2011 WL 1532318, at *2 (C.D. Cal. Feb. 10, 2011).

believe that a petitioner may, if the facts are fully developed, be able to demonstrate that he is . . . entitled to relief." *Harris v. Nelson*, 394 U.S. 286, 300 (1969); *see also Bracy v. Gramley*, 520 U.S. 899, 908–09 (1997) (citing *Harris*). Rule 6 allows discovery "regardless of whether there is to be an evidentiary hearing." *Jones v. Wood*, 114 F.3d 1002, 1010 (9th Cir. 1997). Rather, courts should grant discovery whenever "necessary to fully develop the facts of a claim." *Id.* (quoting *Teague v. Scott*, 60 F.3d 1167, 1172 (5th Cir. 1995)). A habeas petitioner "need not demonstrate that he will ultimately prevail" to obtain discovery. *Pham v. Terhume*, 400 F.3d 740, 743 (9th Cir. 2005).

Courts routinely grant limited Rule 6 discovery in immigration habeas cases where the Government possesses the records necessary to determine the legality of detention. *See e.g., Minango v. Mattos,* Case No. 2:26-cv-00235-ART-BNW, ECF No. 9 (D. Nev. Feb. 26, 2026, Minute Order); *Olivas v. Whitford*, No. CV 14-1434-WQH-BLM, 2014 WL 7175554, at *5 (S.D. Cal. Dec. 11, 2014) (granting limited discovery under Rule 6 for information "directly related to Petitioner's habeas claim"). That is precisely the situation here.

**A. The requested records directly relate to the legality of detention.**

Petitioner challenges the statutory basis for the denial of his bond. The documents sought are foundational to his claim. The facts as they now stand in Petitioner's pro se petition are not fully developed because Petitioner does not have the audio recording and the transcript of his bond hearing. The government presumably possesses these documents. This information is likely contained in Petitioner's A-file, or in other files maintained by the Department of Justice and Homeland Security, such as the Record of Proceedings ("ROP") from immigration court, to which neither Petitioner nor undersigned counsel have access. The relevant documents include the following:

1. Notice to Appear: establishes the charged grounds of removability or inadmissibility;
2. I-213: contains the basis relied upon by DHS in detaining Petitioner and other facts about DHS agents' encounters with Petitioner;
3. All bond orders and bond hearing transcripts/recordings: necessary to determine whether bond jurisdiction existed, whether the correct statutory framework was applied, and whether due process was afforded;
4. Documentation regarding any appeal of the order of removal: critical to determining which detention statute governs and whether detention remains authorized.

Without these materials, Petitioner cannot determine the operative statutory authority for detention, whether the immigration court properly assessed bond eligibility, or whether continued detention is lawful. Those questions are central—not collateral—to Petitioner's § 2241 claim. The Government alone possesses these records. Petitioner and undersigned counsel have no independent access to DHS and EOIR databases. This imbalance of access to information strongly supports a finding of good cause.

**B. This Court has already recognized the relevance of these materials.**

The Court has already ordered Respondents to file any documents referenced or relied upon in their responsive pleading.[6] Petitioner's requested discovery overlaps with those materials. Therefore, good cause exists for the Court to grant this discovery request. *Cf. Bracy*, 520 U.S. at 909 (guarantee of success on the merits of a habeas claim is not required for allowing discovery).

[6] ECF No. 3 at 3.

### C. Granting limited discovery promotes judicial economy.

A limited discovery order will clarify the governing statutory framework and may narrow or refine the issues presented. It will avoid the need for supplemental briefing, or corrective filings once Respondents eventually produce the relevant records. Addressing these matters at the outset conserves judicial resources and prevents piecemeal litigation. At bottom, production of the record conserves judicial resources and avoids procedural complications.

### D. A brief extension to file the amended petition is necessary and reasonable.

Undersigned counsel has acted diligently immediately requesting the materials upon appearing in this case. The extension sought is modest and directly tied to receipt of the requested documents. Without access to the immigration record, counsel cannot reasonably identify the precise statutory and constitutional grounds that govern Petitioner's detention.

This request is not for delay. It is to ensure that the amended petition accurately reflects the governing facts and law.

## III. Conclusion

For the foregoing reasons, Petitioner Dilan Coronado Serrano respectfully requests this Court:

1. Grant limited discovery and order Respondents to produce the following documents:
    - Notice to Appear;
    - Form I-213;
    - All immigration court bond orders;
    - Transcripts and recordings of all bond hearings; and
    - Documentation verifying any appeal of the removal order.

2. Extend the deadline to file the amended petition until seven days after the receipt of discovery; alternatively, if this Court denies this motion, then seven days after the denial.

Such relief will ensure that the amended petition is properly framed, that the Court has a complete and accurate record, and that the case proceeds efficiently and on a fully developed factual foundation.

Dated March 16, 2026.

Respectfully submitted,

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Federal Public Defender

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