IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ANGEL PANTOJA SAUCE, *Petitioner*, v. JAMAL L. JAMISON, Warden of Federal Detention Center, *et al.*, *Respondents*.	Civil Action No. 26- 01532-JHS

RESPONSE TO PETITIONER'S STATUS REPORT

Respondents submit this response to Petitioner Angel Pantoja Sauce's Status Report, ECF No. 6, in which he contends that his bond hearing failed to satisfy due process and requests that the Court should order either his immediate release or a new bond hearing.

A. Relevant Background.

Petitioner filed a writ of habeas corpus on March 10, 2026. ECF No. 1. On March 17, 2026, the Court granted the petition and ordered that "Respondents must provide Petitioner a bond hearing" by March 27, 2026, or "must release Petitioner while he awaits the bond hearing." ECF No. 4. The Court further directed that "[b]y March 30, 2026, the parties shall provide the Court with a status update concerning the results of any bond hearing conducted to [the] Order, or if no bond hearing was held, advise the Court regarding Petitioner's release." *Id.*, at 3.

Respondents timely provided Petitioner with a bond hearing on March 26, 2026. ECF No. 5; *see also* ECF No. 5-1. At the hearing, the immigration judge denied

Petitioner's request for custody redetermination, finding that he "has not established that he is not a danger to the community and that he is not a flight risk." *Id.*

On March 30, 2026, the parties submitted a Joint Status Report informing the Court that a bond hearing had occurred and reporting its outcome, as required by the Court's March 17, 2026 Order. ECF No. 5. In that Joint Report, Petitioner asserted his view that the "bond hearing was not conducted by a neutral arbiter" and stated that he was "preparing a separate brief addressing these issues in detail, which would be filed the same date." *Id.* Respondents took no position on Petitioner's stated intent to file a separate brief. *Id.* Notwithstanding his representation, Petitioner instead filed a document styled as "Petitioner's Status Report." ECF No. 6.

B. Government's Response

As a threshold matter, although styled as "Petitioner's Status Report," the document's *ad damnum* clause "requests that the Court grant this Motion to Enforce the Court's Order." *See* ECF No. 6 at 7-8 (emphasis added). Petitioner's counsel likewise characterizes the filing as "Petitioner's Motion to Enforce" in the Certificate of Service. *Id.* at 9.

In substance, Petitioner's submission is an improper attempt to obtain affirmative relief outside the framework required by Rule 7 and Local Rule 7.1. Despite Petitioner's labeling, the filing advances legal arguments and seeks relief that must only be presented through a properly filed motion. Rule 7 (b) is clear: "[a] request for a court order must be made by motion." Fed. R. Civ. P. 7 (b); *see also* L.R. 7.1 ("every motion shall be accompanied by a form order…"). By advancing substantive arguments through informal filing (e.g. a "status report"), Petitioner has sidestepped these requirements, and attempted to undermine permissible motion practice.

As such, the Court should strike Petitioner's improper filing and its attachments in their entirety (ECF Nos. 6; 6-1 through 6-9), or, at a minimum, disregard any portions that seek substantive relief absent compliance with Rule 7 and L.R. 7.1.

Notwithstanding Petitioner's attempts to maintain this Court's attention, Petitioner was timely provided a bond hearing on March 26, 2026, in accordance with 8 U.S.C. § 1226(a), as well as the opportunity to appeal that determination to the Board of Immigration Appeals (BIA) in accordance with the applicable regulatory framework. The parties promptly reported these developments to the Court. *See* ECF No. 5. Respondents respectfully submit that no further action by the Court is necessary, and the Clerk should be directed to mark this case as **CLOSED**.

If the Court construes "Petitioner's Status Report" (ECF No. 6) as a proper and timely motion, Respondents respectfully oppose Petitioner's requested relief on two independent grounds:

First, Petitioner's challenges to the outcome of his bond hearing must be presented to the Board of Immigration Appeals ("the BIA") for review in the first instance. *See, e.g.*, *Ghanem v. Warden Essex Cnty. Corr. Facility*, No. 21-1908, 2022 WL 574624, at *1 (3d Cir. Feb. 25, 2022) (considering petitioner's allegations that bond hearing failed to provide due process after petitioner exhausted his appeal to the BIA). Here, Petitioner has reserved his right to appeal to the BIA, and this Court should permit that established administrative process to run its course.

Second, Petitioner has not demonstrated that his bond hearing was fundamentally unfair in violation of due process requirements. A constitutionally adequate bond hearing requires that the individual seeking release: "(1) is entitled to factfinding based on a record produced before the decisionmaker and disclosed to him

or her; (2) must be allowed to make arguments on his or her own behalf; and (3) has the right to an individualized determination of his [or her] interests." *Ghanem*, No. 21-1908, 2022 WL 574624, at *2 (citation omitted). The bond hearing here satisfied each of these requirements.

As Petitioner acknowledges in his Status Report, his "counsel argued all of the factors under *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006), and addressed ICE's criminal and immigration concerns regarding danger to the community." ECF No. 6, at 3. Petitioner further concedes that his counsel presented evidence of his "presence in the country for twenty years," along with documentation "detailing [his] work history, tax returns, [and] homeownership...." *Id.* at 2. He was also afforded the opportunity to "explain" his "two recent [criminal] charges." *Id.* In addition, Petitioner had the opportunity to submit, and did submit, evidence in support of his request for bond. *Id.* at 3 ("... a record consisting of over nearly 400 pages of evidence submitted by Petitioner that included a comprehensive evidence matrix for both flight risk and danger...").

After considering that record, the immigration judge denied the bond, finding that Petitioner "has not established that he is not a danger to the community and that he is not a flight risk." *See* ECF No. 6-4. Petitioner nonetheless contends that the hearing was constitutional deficient because the immigration judge conducted a "cursory hearing;" and "issued a cursory denial." *Id.* at 2-3.

But, Petitioner identifies no actual due process violation. He does not, and cannot, claim that he was prevented from presenting evidence, that his counsel was unable to make arguments, or that he was denied an individualized determination. To the contrary, Petitioner admits that each of these procedural safeguards was afforded.

His disagreement is instead with the weight the immigration judge assigned to the evidence and arguments presented.

That disagreement does not render the proceeding unconstitutional. While Petitioner may contest with the immigration judge's conclusion regarding flight risk and danger, such challenges are properly directed to the BIA, not this Court. As reflected in Petitioner's own account detailed in his Status Report, the immigration judge considered the evidence and issued a determination based on that record. *See Kumar v. Rose, et al.* No. 2:26-cv-00155, at ECF No. 11 ("Petitioner's Motion to Enforce … will be denied for two reasons: (1) this Court lacks jurisdiction to overturn the decision rendered by the immigration judge on February 9, 2026 and (2) Petitioner has not demonstrated the bond hearing was so fundamentally unfair as to deprive him of due process.") (Slomsky, J).

Respectfully submitted,

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Dated: April 24, 2026

CERTIFICATE OF SERVICE

I certify that on this day I caused a true and correct copy of the foregoing Response to Petitioner's Status Report to be filed electronically via the Court's CM/ECF system, which will serve notice on all counsel of record.

Date: April 24, 2026

/s/ Monique Myatt Galloway
MONIQUE MYATT GALLOWAY
Assistant United States Attorney