

UNITED STATES DISTRICT COURT
DISTRICT COURT OF COLORADO

Juan Agustin Ailon,

Petitioner,

v.

Todd LYONS, Acting Director of Immigration
& Customs Enforcement; George VALDEZ,
Acting Field Office Director of Enforcement
and Removal Operations, Denver Field Office,
Immigration and Customs Enforcement;
Markwayne MULLEN Secretary, U.S.
Department of Homeland Security; U.S.
DEPARTMENT OF HOMELAND
SECURITY; Pamela BONDI, U.S. Attorney
General; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; Juan Baltazar,
Warden of the Aurora Detention Facility

Respondents.

Case No.

**MOTION TO CLARIFY
ORDER**

I. MOTION TO CLARIFY ORDER

Petitioner, by and through counsel, respectfully submits the instant motion for clarification of the Court's April 21, 2026, order granting the habeas petition. The Court's order states in relevant part that "(2) Respondents shall provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within **SEVEN DAYS** of the date of this Court's Order." *Doc. 9*, at 3. Petitioner asks the Court to clarify who shall bear the burden of proof at the bond hearing and what shall the burden of proof be. Petitioner submits that this Court's precedents indicate that the burden should be on the government to justify continued detention by clear and convincing evidence. *L.G. v. Choate*, 744 F. Supp. 3d 1172, 1185 ("the current scheme of placing the burden on Petitioner to prove that he should be released on bond contravenes due process"). Petitioner submits that clarifying that aspect of the Court's order is essential for compliance with the Court's order and for the preservation of Petitioner's due process rights.

DATED this 21st of April, 2026.

/s/Tiago Guevara

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CERTIFICATE OF SERVICE

I, Tiago Guevara, hereby certify that on March 25, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system.

/s/Tiago Guevara

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