FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
MAR 26 2026
JEFFREY P. COLWELL
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. _____
(To be supplied by the court)

SANJAY KUMAR KUMAR, Applicant,

v.

JUAN BALTAZAR – WARDEN OF DENVER CONTRACT DC
TODD M. LYONS - CURRENT OR ACTING DIRECTOR U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ROBERT G. HAGAN - CURRENT OR ACTING FIELD OFFICE DIRECTOR, DENVER FILED OFFICE U.S. ICE
PAMELA BONDI - CURRENT OF ACTING U.S. ATTORNEY GENERAL
KRISTI NOEM - CURRENT OR ACTING DIRECTOR U.S DEPARTMENT OF HOMELAND SECURITY (DHS).
_____, Respondent.
(Name of warden, superintendent, jailer, or other custodian)

(*Note: If you are attacking the validity of a state conviction or sentence and not the execution of your sentence, you must file an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. If you are attacking the validity of a judgment entered in a federal court, you must file a motion pursuant to 28 U.S.C. § 2255 in the federal court that entered the judgment.*)

APPLICATION FOR A WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. § 2241

NOTICE

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

A. APPLICANT INFORMATION

You must notify the court of any changes to your address where case-related papers may be served by filing a notice of change of address. Failure to keep a current address on file with the court may result in dismissal of your case.

SANJAY KUMAR A#246-765-768 - Denver Contract Detention Facility, 3130 N. Oakland Street, Aurora, CO.

Indicate whether you are a prisoner or other confined person as follows: (check one)

___ Pretrial detainee
___ Civilly committed detainee
_x_ Immigration detainee
___ Convicted and sentenced state prisoner
___ Convicted and sentenced federal prisoner
___ Other: (*Please explain*)

B. RESPONDENT INFORMATION

JUAN BALTAZAR - 3130 N. Oakland Street, Aurora, CO.
Warden of Denver Contract Detention Facility

C. STATEMENT OF CLAIMS

State clearly and concisely every claim you are asserting in this action. For each claim, specify the right that allegedly has been violated and all facts that support your claim. If additional space is needed to describe any claim or to assert additional claims, use extra paper to continue that claim or to assert the additional claim(s). Please indicate that additional paper is attached and label the additional pages regarding the statement of claims as "C. STATEMENT OF CLAIMS."

Fifth Amendment Due Process Clause; 8 U.S.C. § 1226.

CLAIM ONE:

Supporting facts:

1. I entered the United States on April 4, 2023 through the San Luis, AZ border to seek asylum.
2. After entry, I was released from custody and served with a Notice to Appear in removal proceedings at the Sacramento Immigration Court.
3. I complied with all ICE requirements, I attended to all my scheduled check-ins.

4. I filed my asylum application, and while proceedings were pending, I applied for an I-765 and I was granted employment authorization. I currently possess a valid Employment Authorization Document and a valid Driver's license.
5. On 12/3/2025 in Wyoming while I was working, for no reason, I was taken into custody by ICE officers.
6. At the time of the arrest, I was not provided an explanation or the basis for detention, nor afforded a bond hearing. I have never been arrested for any criminal charges in my life. I have no criminal history.
7. I have complied with all my immigration requirements. I was required to check-in with ICE in 2024, and showed up and complied. After that I was given another date for two years later in 2026. However, I was detained for no cause before I could attend that date.
8. Also, I was working legally and earning $7,000 to $8,000 a month as a truck operator before my detention. I have a clean drivers record, no tickets.
9. I am not a flight risk or danger to the community because I have no criminal history and I was working, and have many friends in my community. I was residing in Fresno, CA before my arrest. I also have other community ties in California, namely in Fairfield, CA where I have friends. My immigration lawyer is in Sacramento, CA, which is very close to Fairfield. I have no reason to not show up to court, I am invested and have been working diligently on my immigration case with my immigration attorney.
10. My continued detention without a prompt bond hearing violates due process and is not necessary for immigration purposes.
11. I applied for a bond the first time on February 17, 2026. The immigration judge stated no jurisdiction and denied the bond on February 23, 2026.
12. After that, I was given a bond eligibility paper, but the 9th Circuit later stayed the final order in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.), so I applied for bond on March 3rd, 2026, but my hearing did not take place until March 12, 2026. Bond was denied for lack of jurisdiction.
13. I am in fact a class member of *Maldonado Bautista*, because ICE officers gave me a paper. (Exhibit C). In that paper, they stated that there was a class action and that I could apply for bond. However, the 9th Circuit stay hindered the judges ability to have jurisdiction to hear my bond case. Therefore, it was denied again.
14. I am in fact a *Maldonado Bautista* class member because I do not have lawful status in the United States and I am currently detained at the Aurora, Colorado, Detention Facility. I entered the United States without inspection on 04/05/2023. I was not apprehended at the border. Since entering the United States, I have been living here continuously. I have never been removed or deported from the United States.
15. I am also requesting a Temporary Restraining Order (TRO) because I am likely to succeed on the merits of my claim, and I am being detained under the wrong provision of law, I will suffer irreparable harm without injunctive relief; the balance of hardships tip in my favor; and the public interest supports my release.

D. PRIOR APPLICATIONS

Have you ever filed a lawsuit, other than this lawsuit, in any federal court in which you raised or could have raised the claim(s) raised in this action? ___ Yes _X_ No (*check one*).

If your answer is "Yes," complete this section of the form. If you have filed more than one prior application, use additional paper to provide the requested information for each prior application. Please indicate that additional paper is attached and label the additional pages regarding previous lawsuits as "D. PRIOR APPLICATIONS."

Name and location of court: n/a

Case number: n/a

Type of proceeding: n/a

List the claim(s) raised: n/a

Date and result: (Attach a copy of the decision if available) n/a

Result on appeal, if appealed: n/a

E. ADMINISTRATIVE REMEDIES

WARNING: You must exhaust administrative and/or state remedies before filing an action in federal court pursuant to 28 U.S.C. § 2241. Your case may be dismissed if you have not exhausted administrative and/or state remedies. If additional space is needed to explain exhaustion, use extra paper to do so. Please indicate that additional paper is attached and label the additional pages regarding exhaustion as "E. ADMINISTRATIVE REMEDIES."

Explain the steps you have taken to exhaust administrative and/or state remedies:

After my arrest, ICE did not provide a custody determination or a bond hearing. I asked for information, but no custody review was provided.

On February 17, 2026, I retained an immigration bond attorney to assist me with my case. On that same date, my attorney requested a bond hearing before the Aurora Immigration Court. The bond hearing was scheduled for February 23, 2026. At the time of the hearing, however, the Immigration Judge determined that the Immigration Court did not have jurisdiction over my case and concluded the hearing without addressing the bond request. (See Exhibit A.)

On February 25, 2026, ICE Officer Irma Quiñones served me with a Class Action Notice stating that I had the opportunity to apply for a bond because my case might be bond eligible. (See exhibit C). After receiving this notice, I informed my attorney, who then filed another request for a bond hearing with the Aurora Immigration Court on March 3, 2026. This request then

scheduled another bond hearing for March 12, 2026. However, during that bond hearing, the Immigration Judge again determined that the Immigration Court did not have jurisdiction over my case, and the hearing concluded in the same manner as the previous one. (See Exhibit B)

F. REQUEST FOR RELIEF

State the relief you are requesting or what you want the court to do. If additional space is needed to identify the relief you are requesting, use extra paper to request relief. Please indicate that additional paper is attached and label the additional pages regarding relief as "F. REQUEST FOR RELIEF."

1. I request either (1) immediate release or (2) a bond hearing before an Immigration Judge requiring the government to explain why continued detention is necessary; or
2. In the alternative, I request an order of release from ICE custody under the appropriate conditions.
3. I am also requesting a Temporary Restraining Order (TRO) because I am likely to succeed on the merits of my claim, and I am being detained under the wrong provision of law, I will suffer irreparable harm without injunctive relief; the balance of hardships tip in my favor; and public interest supports my release.

G. APPLICANT'S SIGNATURE

I declare under penalty of perjury that I am the applicant in this action, that I have read this application, and that the information in this application is true and correct. *See* 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Under Federal Rule of Civil Procedure 11, by signing below, I also certify to the best of my knowledge, information, and belief that this application: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the application otherwise complies with the requirements of Rule 11.

Sanjay Kumar

Sanjay Kumar Kumar

3/14/2026

Date

CERTIFICATE OF SERVICE

I hereby certify that, on 3/14/2026, a copy of the foregoing pleading/document was mailed to JUAN BALTAZAR – WARDEN OF DENVER CONTRACT DC, TODD M. LYONS - CURRENT OR ACTING DIRECTOR U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, ROBERT G. HAGAN - CURRENT OR ACTING FIELD OFFICE DIRECTOR, DENVER FILED OFFICE, U.S. ICE, PAMELA BONDI - CURRENT OF ACTING U.S. ATTORNEY GENERAL, KRISTI NOEM - CURRENT OR ACTING DIRECTOR U.S DEPARTMENT OF HOMELAND SECURITY (DHS) at:

Juan Baltazar
Warden of Denver Contract Detention Facility (Aurora)
3130 North Oakland Street
Aurora, CO 80010

Todd M. Lyons
Acting Director, U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0485
Washington, DC 20528-0485

Pamela Bondi
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Kristi Noem
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c/o Office of the General Counsel
U.S. Department of Homeland Security
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Washington, DC 20528-0485

Sanjay Kumar

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3/14/2026
Date