

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

HECTOR MANUEL DELGADO-SALAZAR,

Petitioner,

v.

CIVIL ACTION NO. 2:26-cv-00137

CHRISTOPHER MASON,

Respondent.

ORDER

The Court has reviewed the Petitioners' *Verified Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241* (Document 1) and the *Motion for Immediate Order to Show Cause and Immediate Order Preventing Removal or Transfer of Petitioner Pending Disposition of Petition* (Document 2), filed on February 24, 2026. Petitioner Hector Manuel Delgado-Salazar is a citizen and national of Mexico who resides in North Carolina. He alleges that the Respondents have caused him to be confined in civil immigration detention at the South Central Regional Jail in Charleston, West Virginia, following a traffic stop on February 18, 2026. He asserts that his detention is unlawful and in violation of the Due Process Clause of the Fifth Amendment of the United States Constitution.

Finding that the Petitioner's claims warrant prompt review, the Court **ORDERS** that:

1. The *Motion for Immediate Order to Show Cause and Immediate Order Preventing Removal or Transfer of Petitioner Pending Disposition of Petition* (Document 2) be **GRANTED**.
2. The Respondents **SHALL NOT** remove or facilitate the removal of the Petitioner from the Southern District of West Virginia pending further order of the Court. To the extent the Petitioner has already been removed from this jurisdiction, the Respondents shall not transport the Petitioner to a geographically further location or remove the Petitioner from the United States pending further order of the Court.
3. The Petitioners **SHALL** serve this Order on the United States Attorney for the Southern District of West Virginia by **2:00 p.m., on February 24, 2026**, which shall constitute good and sufficient service on the federal defendants.
4. The Petitioner **SHALL** serve this Order on Christopher Mason, Superintendent, South Central Regional Jail, or an agent of Superintendent Mason at the South Central Regional Jail, by **2:00 p.m., on February 24, 2026**, which shall constitute good and sufficient service on Superintendent Mason.
5. The Respondents **SHALL** file a written response to **SHOW CAUSE**, if any, as to why the Petition should not be granted, no later than **12:00 noon, on Wednesday, February 25, 2026**. The response shall indicate whether the Respondents have a good faith basis to assert that they will present arguments in this case that have not previously been considered and rejected by this Court.
6. The parties **SHALL** appear for hearing at **9:30 a.m., on February 26, 2026**.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record, to Matthew C. Lindsay, Chief of the Civil Division of the U.S. Attorney's Office for the Southern District of West Virginia, and to any unrepresented party.

ENTER: February 24, 2026



IRENE C. BERGER
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA