



1 Petitioner alleges that his detention by Respondents for more than three months and 29 days  
2 without being afforded a bond hearing violates Petitioner’s constitutional and statutory rights.  
3 (Doc. 1 ¶¶ 2-3).

4 The Court preliminarily concludes that Petitioner’s petition may be cognizable under 28  
5 U.S.C. § 2241. In addition, because Petitioner was incarcerated at Mesa Verde Detention Facility  
6 at the time of filing, and that facility lies within the Eastern District of California, this Court has  
7 jurisdiction to proceed to the merits of the petition. *Malone v. Calderon*, 165 F.3d 1234, 1237 (9th  
8 Cir. 1999) (“Federal courts have authority to grant writs of habeas corpus ‘within their respective  
9 jurisdictions.’”) (citing 28 U.S.C. § 2241); *see, e.g., Doe v. Garland*, 109 F.4th 1188, 1197-99 (9th  
10 Cir. 2024) (holding that the Eastern District of California exercises jurisdiction over core habeas  
11 corpus petitions filed by petitioners confined at a facility within this district).

12 **Conclusion and Order**

13 This Court has conducted a preliminary review of the petition. It is not clear from the face  
14 of the petition whether Petitioner is entitled to relief. Accordingly, pursuant to Habeas Rule 4, the  
15 Court HEREBY ORDERS:

- 16 1. Respondents SHALL FILE a response addressing the merits or seeking dismissal of the  
17 Petition within **30 days** of the date of service of this order. Respondents shall include  
18 with the response any and all transcripts or other documents relevant to the resolution  
19 of the issues presented in the petition. Habeas Rule 5.
- 20 2. Respondents SHALL FILE a Notice of Appearance within **7 days** of the date of service  
21 of this Order.
- 22 3. Petitioner’s TRAVERSE to any Answer or OPPOSITION to any Motion to Dismiss  
23 filed by Respondent is due on or before **30 days** from the date Respondents’ filing.
- 24 4. The Clerk of Court is DIRECTED to send an electronic copy of this Order and a copy  
25 of the Petition and all exhibits to the Office of the United States Attorney for the Eastern  
26 District of California, an agent for the appropriate correctional institution, if applicable,  
27 and to mail a copy of this order to Petitioner.

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1 All motions shall be submitted on the record and briefs filed without oral argument unless  
2 otherwise ordered by the Court. Local Rule 230(g). All provisions of Local Rule 110 are applicable  
3 to this Order.

4 IT IS SO ORDERED.

5 Dated: December 31, 2025

  
6 UNITED STATES MAGISTRATE JUDGE

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