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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LEONID KOVALCHUK,
Petitioner,
v.
N. MARTINEZ ESTEPA,
Respondent.

No. 1:26-cv-00978-JLT-SKO (HC)

**ORDER DIRECTING RESPONDENT TO
FILE RESPONSE TO PETITION**

[THIRTY-DAY DEADLINE]

Petitioner has filed a petition for writ of habeas corpus challenging his detention by the United States Bureau of Immigration and Customs Enforcement (“ICE”).

Petitioner is a noncitizen who claims he is being detained indefinitely in violation of his constitutional rights because his detention has become unreasonably prolonged and there is no reasonable probability of removal within the foreseeable future. Because Petitioner may be entitled to relief if the claimed violations are proved, Respondent will be directed to file a Response.

Accordingly, it is HEREBY ORDERED:

1. Respondent is DIRECTED to file a Response to the Petition within THIRTY (30) days of the date of service of this order. Rule 4, Rules Governing Section 2254 Cases; see Rule 1(b), Rule 11, Rules Governing Section 2254 Cases; Fed. R. Civ. P. 81(a)(2). Respondent SHALL INCLUDE copies of all relevant portions of

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Petitioner’s Alien File or any other documentation relevant to the determination of the issues raised in the Petition. Rule 5 of the Rules Governing Section 2254 Cases.

2. Petitioner may file a Traverse to the Response within THIRTY (30) days of the date the Response is filed with the Court.
3. In the event the Petitioner is released from ICE custody during the pendency of this Petition, the parties SHALL notify the Court by filing a Motion to Dismiss the Petition or other proper pleading.

The Court has determined that this matter is suitable for decision without oral argument pursuant to Local Rule 230(h). As such, the matter will be taken under submission following the filing of Petitioner’s Traverse or the expiration of the time for filing the Traverse. All other briefing in this action is suspended.

IT IS SO ORDERED.

Dated: February 6, 2026

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE