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HABEAS,CLOSED

**U.S. District Court
Eastern District of California - Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:26-cv-00637-TLN-SCR**

(HC) Maharaj v. Warden of the California City Detention Facility
Assigned to: Chief District Judge Troy L. Nunley
Referred to: Magistrate Judge Sean C. Riordan
Cause: 8:1105(a) Aliens: Habeas Corpus to Release INS Detainee

Date Filed: 01/26/2026
Date Terminated: 03/25/2026
Jury Demand: None
Nature of Suit: 463 Habeas Corpus - Alien Detainee
Jurisdiction: U.S. Government Defendant

Petitioner

Saysouk Maharaj

represented by **Jacqueline Marie Brown**
University of San Francisco School of Law
Immigration & Deportation Defense Clinic
2130 Fulton Street
San Francisco, CA 94117
415-422-3330
Email: jmbrown@usfca.edu
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Respondent

**Warden of the California City
Detention Facility**

represented by **Cody S. Chapple**
U.S. Attorney's Office
2500 Tulare St
Ste 4401
Fresno, CA 93721
559-497-4000
Email: Cody.chapple@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

US Attorney's Office- 463 Unit
Eastern District of California
Email: usacae.ecf2241-imm@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
01/26/2026	1	PETITION for WRIT of HABEAS CORPUS and REQUEST FOR INJUNCTIVE RELIEF against Warden of the California City Detention Facility by Saysouk Maharaj. (Deputy Clerk RRB) (Entered: 01/27/2026)
01/26/2026	2	MOTION to PROCEED IN FORMA PAUPERIS by Saysouk Maharaj. (Deputy Clerk RRB) (Entered: 01/27/2026)
01/26/2026	3	MOTION to APPOINT COUNSEL by Saysouk Maharaj. (Deputy Clerk RRB) (Entered: 01/27/2026)
01/27/2026		RECEIPT number 100007050 for \$5.00 for filing fee from Duffy Su. (Deputy Clerk RRB) (Entered: 01/27/2026)
01/27/2026	4	PRISONER NEW CASE DOCUMENTS and ORDER RE CONSENT ISSUED; Consent or Decline due by 3/2/2026. (Attachments: # 1 HC - Litigant Letter) (Deputy Clerk RRB) (Entered: 01/27/2026)
01/27/2026		SERVICE BY MAIL: 4 Prisoner New Case Documents served on Saysouk Maharaj. (Deputy Clerk RRB) (Entered: 01/27/2026)
01/28/2026	5	DESIGNATION of COUNSEL FOR SERVICE. Added attorney Cody S. Chapple for Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 01/28/2026)
01/28/2026	6	CONSENT/DECLINE of U.S. Magistrate Judge Jurisdiction. Pursuant to Fed. R. Civ. P. 73(b)(1), this document is restricted to attorneys and court staff only. Judges do not have access to view this document and will be informed of a party's response only if all parties have consented to the referral. (Chapple, Cody) (Entered: 01/28/2026)
01/29/2026	7	MINUTE ORDER issued by Courtroom Deputy for Magistrate Judge Sean C. Riordan on 1/29/2026: Parties must review this MINUTE ORDER Document, which is a scheduling order. [See attached for details.] (Deputy Clerk SH) (Entered: 01/29/2026)
01/29/2026		SERVICE BY MAIL: 7 Minute Order served on Saysouk Maharaj. (Deputy Clerk SH) (Entered: 01/29/2026)
02/06/2026	8	CONSENT/DECLINE of U.S. Magistrate Judge Jurisdiction. Pursuant to Fed. R. Civ. P. 73(b)(1), this document is restricted to attorneys and court staff only. Judges do not have access to view this document and will be informed of a party's response only if all parties have consented to the referral. (Deputy Clerk JAW) (Entered: 02/09/2026)
02/11/2026	9	MINUTE ORDER (Text Only Entry) issued by Courtroom Deputy for Magistrate Judge Sean C. Riordan on 2/11/2026: On January 29, 2026, the undersigned issued a scheduling order directing respondent to file an answer/return to the petition by February 5, 2026 7 . Respondent has not filed an answer/return and the time to do so has expired. In order to ensure a full record, respondent will receive another opportunity to respond and is directed to file an answer/return by February 18, 2026. If Respondent fails to file a timely answer/return, the undersigned will construe petitioner's request for relief as unopposed. <u>See</u> 28 U.S.C. § 2243 (emphasizing that the "court shall summarily hear and determine the facts, and dispose of the mater as

		law and justice require."). (Deputy Clerk SH) (Entered: 02/11/2026)
02/11/2026		SERVICE BY MAIL: 9 Minute Order served on Saysouk Maharaj. (Deputy Clerk SH) (Entered: 02/11/2026)
02/13/2026	10	<p>AMENDED MINUTE ORDER (Text Only Entry) issued by Courtroom Deputy for Magistrate Judge Sean C. Riordan on 2/13/2026: Having reviewed the pleadings in this case and the complexity of the legal issues involved, the Court has determined that the interests of justice require the appointment of counsel for petitioner. Therefore, the Court grants the pending motion for the appointment of counsel. ECF No. 3 ; <u>see</u> 18 U.S.C. § 3006A(a)(2)(B); <u>see also</u> <i>Weygandt v. Look</i>, 718 F.2d 952, 954 (9th Cir. 1983). Jacqueline Brown is hereby appointed to represent petitioner for the duration of the proceedings in this Court. The Clerk of Court shall update the docket to add Jacqueline Brown, University of San Francisco School of Law, Immigration & Deportation Defense Clinic, 2130 Fulton Street, San Francisco, CA 94117, 415-422-3330, jmbrown@usfca.edu, as counsel for petitioner. The Clerk of the Court shall serve a copy of this order and a copy of petitioner's application for a writ of habeas corpus (ECF No. 1) on Jacqueline Brown, jmbrown@usfca.edu.</p> <p>Based on the appointment of counsel, the prior scheduling order (ECF No. 9) is VACATED. The court sua sponte grants petitioner leave to file an amended § 2241 petition within 21 days from the date of this order. Within 7 days from petitioner's filing, respondent shall file an answer/return. Petitioner shall have 3 days from the date of respondent's answer/return or notice to file a reply. If the parties agree on a different briefing schedule, they may submit a joint proposed order to the court based on their stipulation. SO ORDERED. (Deputy Clerk SH) Modified on 2/13/2026 (SH). (Entered: 02/13/2026)</p>
03/03/2026	12	FIRST AMENDED PETITION for WRIT of HABEAS CORPUS by Saysouk Maharaj.(Brown, Jacqueline) (Entered: 03/03/2026)
03/10/2026	13	ANSWER (Response) to 12 First Amended Petition for Writ of Habeas Corpus by Warden of the California City Detention Facility. (Attachments: # 1 Decl. of Rivera, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3) (Chapple, Cody) Modified on 3/11/2026 (KS). (Entered: 03/10/2026)
03/13/2026	14	REPLY by Saysouk Maharaj re 13 Response., (Attachments: # 1 Lao Nationality Law, # 2 Email communications, # 3 Correspondence with Lao Embassy)(Brown, Jacqueline) (Entered: 03/13/2026)
03/16/2026	15	REQUEST for ENFORCEMENT of Court Order by Saysouk Maharaj re Service by Mail. (Attachments: # 1 Exhibit Decln in support, # 2 Exhibit Transfer notice, # 3 Exhibit email communications)(Brown, Jacqueline) (Entered: 03/16/2026)
03/17/2026	16	MINUTE ORDER issued by Courtroom Deputy for Chief District Judge Troy L. Nunley on March 17, 2026: The Court has reviewed Petitioner's Request for Emergency Enforcement of Court Order and Expedited Relief. (ECF No. 15 .) The Court ORDERS as follows: (1) by noon on March 18, 2026, Respondents must show cause why Respondents should not be held in contempt for violating the Court's January 26, 2026 Order; (2) Respondents shall IMMEDIATELY, but no later than March 19, 2026, return Petitioner to a detention facility within the Eastern District of California; and (3) by March 20, 2026, Respondents shall file a notice of

		compliance with the Court's order to return Petitioner. Petitioner shall not be removed from the United States pending further order of this Court. <i>See F.T.C. v. Dean Foods Co.</i> , 384 U.S. 597, 608 (1966) (acknowledging the Court's "express authority under the All Writs Act to issue such temporary injunctions as may be necessary to protect its own jurisdiction"). (TEXT ONLY ENTRY) (Deputy Clerk MDK) (Entered: 03/17/2026)
03/18/2026	17	RESPONSE to ORDER TO SHOW CAUSE, ECF No. 16, and STATUS REPORT by Warden of the California City Detention Facility. (Chapple, Cody) Modified on 3/19/2026 (KLY). (Entered: 03/18/2026)
03/19/2026	18	MINUTE ORDER issued by Courtroom Deputy for Chief District Judge Troy L. Nunley on March 19, 2026: The Court has reviewed Petitioner's First Amended Petition for Writ of Habeas Corpus (ECF No. 12), Respondents' Answer (ECF No. 13), and Petitioner's Reply (ECF No. 14). Respondents' Answer contends "ICE received approval to deport [P]etitioner to Laos[,]" but, as Petitioner notes in reply, Respondents have not produced a travel document, a repatriation agreement or confirmation from the Laos Government. Accordingly, the Court ORDERS Respondents to provide supplemental briefing by 5 p.m. TODAY on the following: (1) the status of any travel documents for Petitioner and (2) the identities of any entities that have approved any travel documents for Petitioner. Any supplemental briefing should include a copy of the travel document and evidence that a travel document was approved. (TEXT ONLY ENTRY) (Deputy Clerk MDK) (Entered: 03/19/2026)
03/19/2026	19	SUPPLEMENTAL BRIEF in Response to the Court's March 19, 2026, Minute Order filed by Warden of the California City Detention Facility. (Attachments: # 1 Declaration of DO Christian Rivera, # 2 Exhibit 1 - Loas Laissez-Passer for Using as a Passport)(Chapple, Cody) (Entered: 03/19/2026)
03/20/2026	20	STATUS REPORT by Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 03/20/2026)
03/23/2026	21	SECOND STATUS REPORT by Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 03/23/2026)
03/23/2026	22	REQUEST for COMPLIANCE with 3/19/2026 court order and for fear interview by Saysouk Maharaj re 20 Status Report. (Attachments: # 1 Proposed Order)(Brown, Jacqueline) Modified on 3/24/2026 (KLY). (Entered: 03/23/2026)
03/25/2026	23	ORDER signed by Chief District Judge Troy L. Nunley on 03/24/26 ORDERING Respondents to IMMEDIATELY return Petitioner to a detention facility within the Eastern District of CA; GRANTING 12 Petitioner's First Amended Petition for Writ of Habeas Corpus; and Respondents are further temporarily ENJOINED and RESTRAINED from removing Petitioner to Laos until they first allow him a meaningful opportunity to be heard on his fear-based claims before an immigration judge in compliance with due process. Clerk to enter judgment in favor of Petitioner and close this case. CASE CLOSED. (Deputy Clerk AJB) (Entered: 03/25/2026)
03/25/2026	24	JUDGMENT dated *03/25/26* pursuant to order signed by Chief District Judge Troy L. Nunley on 03/24/26. (Deputy Clerk AJB) (Entered: 03/25/2026)
03/26/2026	25	STATUS REPORT by Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 03/26/2026)

03/27/2026	26	STATUS REPORT by Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 03/27/2026)
04/24/2026	27	MINUTE ORDER issued by Courtroom Deputy for Chief District Judge Troy L. Nunley on April 24, 2026: The Court is in receipt in Respondents' status reports, none of which certify compliance with the Court's March 24, 2026 Order. Specifically, Respondents have not certified Petitioner was provided with a meaningful opportunity to be heard on his fear-based claims before an immigration judge in compliance with due process. Accordingly, Respondents are ORDERED to file a notice of compliance with the Court's March 24, 2026 Order by May 1, 2026. (TEXT ONLY ENTRY) (Deputy Clerk MDK) (Entered: 04/24/2026)
05/01/2026	28	STATUS REPORT by Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 05/01/2026)
05/06/2026	29	MINUTE ORDER issued by Relief Courtroom Deputy for Chief District Judge Troy L. Nunley on 05/06/2026: On March 25, 2026, the Court temporarily enjoined and restrained Respondents from removing Petitioner to Laos without first providing him with a meaningful opportunity to be heard on his fear-based claims before an immigration judge. (ECF No. 23 .) On May 1, 2026, Respondents indicated Petitioner has not been provided with an opportunity to be heard on his fear-based claims due to "the lack of an existing procedure for presenting" such claims. (ECF No. 28 .) Given that Respondents have continued to detain Petitioner for nearly a month and a half after the Court's March 25, 2026 without providing him a meaningful opportunity to be heard on his fear based claims as directed, the Court orders as follows: Respondents are ENJOINED and RESTRAINED from continuing to detain Petitioner for more than seven (7) days from the date of this Order without a meaningful opportunity to be heard on his fear based claims before an immigration judge in compliance with due process. Within five (5) days from the date of the hearing on Petitioner's fear-based claims, Respondents are ORDERED to file a status report confirming that the hearing occurred, the date of the hearing, and the outcome of the hearing. If Petitioner is released, Respondents are further ENJOINED and RESTRAINED from re-arresting or re-detaining Petitioner absent compliance with constitutional protections, including seven-days' notice and a pre-deprivation hearing before a neutral factfinder where the Government bears the burden to show by clear and convincing evidence that material changed circumstances demonstrate: (a) a significant likelihood of Petitioner's removal in the reasonably foreseeable future, or (b) the Government's interest in protecting the public and/or ensuring Petitioner appears at future immigration proceedings outweighs Petitioner's constitutionally protected interest in remaining free from detention. At any such hearing, Petitioner shall be allowed to have counsel present. (TEXT ONLY ENTRY). (Deputy Clerk CRN) (Entered: 05/06/2026)
05/13/2026	30	NOTICE OF COMPLIANCE by Warden of the California City Detention Facility. (Chapple, Cody) (Entered: 05/13/2026)

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