

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

HABEAS,CLOSED

**U.S. District Court
Eastern District of California - Live System (Fresno)
CIVIL DOCKET FOR CASE #: 1:26-cv-00459-DJC-CSK**

(HC) Ramirez Rodriguez v. Warden
Assigned to: District Judge Daniel J. Calabretta
Referred to: Magistrate Judge Chi Soo Kim
Cause: 8:1105(a) Aliens: Habeas Corpus to Release INS
Detainee

Date Filed: 01/20/2026
Date Terminated: 03/11/2026
Jury Demand: None
Nature of Suit: 463 Habeas Corpus -
Alien Detainee
Jurisdiction: U.S. Government Defendant

Petitioner

Romilio Ramirez Rodriguez

represented by **Romilio Ramirez Rodriguez**
241-697-927
GOLDEN STATE ANNEX
611 Frontage Road
McFarland, CA 93250
PRO SE

V.

Respondent

Warden

represented by **Audrey Benison Hemesath , GOVT**
United States Attorney's Office,
Sacramento
501 I Street
Suite 10-100
Sacramento, CA 95814
916-554-2729
Fax: 916-554-2886
Email: audrey.hemesath@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
01/20/2026	<u>1</u>	2241 PETITION for WRIT of HABEAS CORPUS against Warden by Romilio Ramirez Rodriguez. (Deputy Clerk JAW) (Entered: 01/22/2026)

01/20/2026		RECEIPT number 100007006 for \$5.00 for Romillo Ramirez Rodriguez from Geo Secure Services. (Deputy Clerk JAW) (Entered: 01/22/2026)
01/20/2026	2	MOTION to APPOINT COUNSEL by Romilio Ramirez Rodriguez. (Deputy Clerk JAW) (Entered: 01/22/2026)
01/22/2026	3	PRISONER NEW CASE DOCUMENTS and ORDER RE CONSENT ISSUED; Consent or Decline due by 2/26/2026. (Attachments: # 1 Litigant Letter) (Deputy Clerk JAW) (Entered: 01/22/2026)
01/22/2026		SERVICE BY MAIL: 3 Prisoner New Case Documents served on Romilio Ramirez Rodriguez. (Deputy Clerk JAW) (Entered: 01/22/2026)
01/23/2026	4	MINUTE ORDER signed by District Judge Daniel J. Calabretta on 1/23/2026: This matter is REFERRED to the assigned Magistrate Judge for all further proceedings consistent with E.D. Cal. L.R. 302(c)(17). IT IS SO ORDERED. [TEXT ONLY ENTRY] (Deputy Clerk GJM) (Entered: 01/23/2026)
01/27/2026	5	ORDER signed by Magistrate Judge Chi Soo Kim on 1/27/2026 DIRECTING Respondents to file an answer or motion to dismiss within 7 days from the date of this order. Petitioner's reply/traverse to an answer or opposition to a motion to dismiss, if any, is due within 10 days after being served with a copy of respondents' answer or motion to dismiss. A reply by respondents to an opposition to a motion to dismiss is due within 7 days after being served with the opposition. The Clerk of the Court shall serve a copy of the petition and this order on the United States Attorney. Within 14 days of the date of this order, respondents shall file the form Consent to Proceed Before United States Magistrate Judge, which is available on the district court's website. (Deputy Clerk LMS) (Entered: 01/27/2026)
01/27/2026		SERVICE BY MAIL: 5 Order, served on Romilio Ramirez Rodriguez. (Deputy Clerk LMS) (Entered: 01/27/2026)
01/30/2026		SERVICE BY MAIL: 4 Minute Order, served on Romilio Ramirez Rodriguez. (Deputy Clerk HAH) (Entered: 01/30/2026)
02/02/2026	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. (Deputy Clerk AJB) (Entered: 02/03/2026)
02/11/2026	7	ORDER signed by Magistrate Judge Chi Soo Kim on 2/11/2026 ORDERING by 5:00 p.m. on 2/12/2026 respondents shall file their answer or motion to dismiss. If an answer or motion to dismiss is not filed by this deadline, it will be construed as a non-opposition to granting the relief requested in the petition. (Deputy Clerk KLY) (Entered: 02/11/2026)
02/11/2026		SERVICE BY MAIL: 7 Order Directing Respondent to File a Response to the Petition served on Romilio Ramirez Rodriguez. (Deputy Clerk KLY) (Entered: 02/11/2026)
02/13/2026	8	[VACATED PURSUANT 10] MINUTE ORDER signed by Magistrate Judge Chi Soo Kim on 2/13/2026: On or before Monday 2/16/2026 at 9:00 a.m. respondents are ordered to show cause why sanctions should not issue for respondents' failure to

		respond to the Court's orders filed 1/27/2026 and 2/11/2026 directing respondents to respond to the petition. (CC: AUSA Edward Olsen) (Text Only Entry) (Deputy Clerk AW) Modified on 2/17/2026 (OML). (Entered: 02/13/2026)
02/13/2026		SERVICE BY MAIL: 8 Minute Order served on Romilio Ramirez Rodriguez. (Deputy Clerk AW) (Entered: 02/13/2026)
02/15/2026	9	MOTION to DISMISS and RESPONSE to 8 Order to Show Cause by Warden. Attorney Hemesath, Audrey Benison added. (Attachments: # 1 Exhibit, # 2 Exhibit) (Hemesath, Audrey) Modified on 2/18/2026 (KS). (Entered: 02/15/2026)
02/17/2026	10	ORDER signed by Magistrate Judge Chi Soo Kim on 2/17/2026 VACATING the 2/13/2026 Order to Show Cause and DIRECTING Respondents to file a certificate of service confirming that Respondents served Petitioner with copies of their 2/15/2026 response to order to show cause, motion to dismiss, and exhibits. Petitioner is reminded that his opposition to respondents' motion is due 10 days after service of respondents' motion. (Deputy Clerk OML) (Entered: 02/17/2026)
02/17/2026		SERVICE BY MAIL: 10 Order served on Romilio Ramirez Rodriguez. (Deputy Clerk OML) (Entered: 02/17/2026)
02/17/2026	11	CERTIFICATE of SERVICE re 9 Motion to Dismiss and Response to Order to Show Cause by Warden. (Hemesath, Audrey) Modified on 2/20/2026 (KS). (Entered: 02/17/2026)
03/05/2026	12	MINUTE ORDER issued by Magistrate Judge Chi Soo Kim on 3/5/2026: The record currently before the court does not include sufficient information to determine the issues presented in the pending petition. Therefore, by 5:00 p.m. on March 6, 2026, Respondents are ORDERED to submit any and all Notices to Appear, release orders, and supervision orders. Respondents may file an optional Supplemental Brief limited to addressing any additional documents submitted and limited to five (5) pages. Any such optional Supplemental Brief must be filed together with Respondents' documents. If a supplemental brief is filed, Petitioner, who is proceeding pro se, may submit an optional response by March 13, 2026 limited to five (5) pages. (Text Only Entry) (Deputy Clerk AW) (Entered: 03/05/2026)
03/05/2026		SERVICE BY MAIL: 12 Minute Order served on Romilio Ramirez Rodriguez. (Deputy Clerk AW) (Entered: 03/05/2026)
03/06/2026	13	SUPPLEMENT by Warden. (Attachments: # 1 Exhibit, # 2 Exhibit)(Hemesath, Audrey) Modified on 3/10/2026 (HAH). (Entered: 03/06/2026)
03/06/2026	14	CERTIFICATE / PROOF of SERVICE by Warden. (Hemesath, Audrey) (Entered: 03/06/2026)
03/10/2026	15	ORDER AND FINDINGS and RECOMMENDATIONS signed by Magistrate Judge Chi Soo Kim on 3/10/2026 DENYING petitioner's 2 motion for appointment of counsel as unnecessary. IT IS RECOMMENDED the 1 petition for writ of habeas corpus be GRANTED; Respondent's 9 motion to dismiss and request to stay this matter be denied; Respondents be ordered to IMMEDIATELY release petitioner Romilio Ramirez Rodriguez and be ordered to provide petitioner with a copy of the release order at or near the time of release; If respondents have custody of petitioner's documents (e.g., identification, passport, work permit, Social Security

		card, etc.), respondents shall return those to petitioner at the time of release; Respondents be ENJOINED AND RESTRAINED from re-detaining petitioner unless the government demonstrates, by clear and convincing evidence at a pre-deprivation bond hearing before a neutral decisionmaker, that petitioner is a flight risk or danger to the community such that his physical custody is legally justified; The parties be directed to file, within 7 days of the adoption of these findings and recommendations, a joint status report addressing petitioner's status; The Clerk of the Court be directed to enter judgment in favor of petitioner and close this case. Referred to Judge Daniel J. Calabretta. Objections to F&R due within 7 days. (Deputy Clerk KLY) (Entered: 03/10/2026)
03/10/2026		SERVICE BY MAIL: 15 Order And Findings and Recommendations served on Romilio Ramirez Rodriguez. (Deputy Clerk KLY) (Entered: 03/10/2026)
03/10/2026	16	OBJECTIONS to FINDINGS and RECOMMENDATIONS 15 by Petitioner Romilio Ramirez Rodriguez. (Hemesath, Audrey) (Entered: 03/10/2026)
03/10/2026	17	CERTIFICATE / PROOF of SERVICE by Warden re 16 Objections to Findings and Recommendations. (Hemesath, Audrey) (Entered: 03/10/2026)
03/11/2026	18	ORDER signed by District Judge Daniel J. Calabretta on 3/11/2026 ADOPTING IN FULL 15 Findings and Recommendations; GRANTING 1 Petition for Writ of Habeas Corpus; DENYING 9 Motion to Dismiss and Request to Stay; ORDERING Respondents to immediately release petitioner Romilio Ramirez Rodriguez and to return Petitioner's documents to Petitioner at the time of release if they have custody of them; ENJOINING and RESTRAINING Respondents from re-detaining Petitioner; DIRECTING the Clerk of Court to enter judgment in favor of Petitioner and close this case. CASE CLOSED. (Deputy Clerk GJM) (Entered: 03/11/2026)
03/11/2026	19	JUDGMENT dated *3/11/2026* pursuant to 18 Order signed by District Judge Daniel J. Calabretta on 3/11/2026. (Deputy Clerk GJM) (Entered: 03/11/2026)
03/11/2026		SERVICE BY MAIL: 18 Order Adopting Findings and Recommendations, 19 Judgment served on Romilio Ramirez Rodriguez. (Deputy Clerk GJM) (Entered: 03/11/2026)
03/18/2026		MAIL RETURNED as Undeliverable, Return to Sender, Not in Custody, Released, Unable to Forward: 15 Order and Findings and Recommendations sent to Romilio Ramirez Rodriguez. Notice of Change of Address due by 4/27/2026. (Deputy Clerk OML) (Entered: 03/19/2026)
03/19/2026		MAIL RETURNED as Undeliverable, Not in Custody: 12 Minute Order sent to Romilio Ramirez Rodriguez. Notice of Change of Address due by 4/27/2026. (Deputy Clerk OML) (Entered: 03/25/2026)

PACER Service Center

Transaction Receipt

05/30/2026 04:23:46

PACER Login:	grooman	Client Code:	
Description:	Docket	Search	1:26-cv-00459-DJC-

	Report	Criteria:	CSK
Billable Pages:	3	Cost:	0.30