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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROMILIO RAMIREZ RODRIGUEZ,
Petitioner,
v.
WARDEN, et al.,
Respondents.

No. 1:26-cv-00459 DJC CSK

ORDER

Petitioner, an immigration detainee proceeding without counsel, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.¹ Petitioner paid the filing fee. Rule 1(b) of the Rules Governing Habeas Corpus Cases Under Section 2254 allows a district court to apply any or all of the rules to other types of habeas corpus petitions including § 2241 petitions.

The court has conducted a preliminary review of the petition pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254. Because petitioner may be entitled to the requested relief if the claimed violation of constitutional rights is proved, respondents are directed to show cause why the writ should not be granted by filing an answer or motion to dismiss within 7 days from the date of this order. See 28 U.S.C. § 2243.

¹ In a footnote, petitioner asked the Court to use his initials rather than his last name. (ECF No. 1 at 2 n.1.) However, petitioner’s request appears to be a boilerplate request given he used his full last name in his own petition. Thus, petitioner’s request is denied without prejudice.”

1 Petitioner filed a motion for appointment of counsel. (ECF No. 2.) The Court will defer
2 ruling on petitioner's motion for appointment of counsel until after reviewing respondents'
3 response to the petition.

4 In accordance with the above, IT IS HEREBY ORDERED that:

5 1. Respondents are directed to file an answer or motion to dismiss within 7 days from the
6 date of this order. Respondents shall include with the answer or motion to dismiss any and all
7 transcripts or other documents relevant to the determination of the issues presented in the
8 application, **including all referenced or relevant portions of petitioner's A-File and other**
9 **supporting documents, including records that document release and release orders, any**
10 **relevant violations of release, and detention and detention orders.**

11 2. Petitioner's reply/traverse to an answer or opposition to a motion to dismiss, if any, is
12 due within 10 days after being served with a copy of respondents' answer or motion to dismiss.
13 A reply by respondents to an opposition to a motion to dismiss is due within 7 days after being
14 served with the opposition.

15 3. The Clerk of the Court shall serve a copy of the petition and this order on the United
16 States Attorney. Within 14 days of the date of this order, respondents shall file the form Consent
17 to Proceed Before United States Magistrate Judge, which is available on the district court's
18 website: <https://www.caed.uscourts.gov/caednew/assets/File/Forms/consentmagweb.pdf>.

19 4. Each party proceeding without counsel shall keep the court informed of the current
20 address at all times while the action is pending. Any change of address must be reported
21 promptly to the court in a separate document captioned for this case and entitled "Notice of
22 Change of Address." A notice of change of address must be properly served on other parties.
23 Service of documents at the address of record for a party is fully effective. L.R. 182(f). A party's
24 failure to inform the court of a change of address may result in the imposition of sanctions
25 including dismissal of the action.

26 Dated: January 27, 2026

27 
28 CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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