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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

PUN MAGAR SANDESH,
Petitioner,
v.
CHRISTOPHER LAROSE,
Respondent.

Case No.: 26-cv-0846-JES-DDL

ORDER:

**(1) REQUIRING A RESPONSE TO
PETITION FOR WRIT OF HABEAS
CORPUS;**

**(2) SETTING BRIEFING
SCHEDULE; and**

**(3) STAYING REMOVAL OF
PETITIONER TO PRESERVE
JURISDICTION**

[ECF No. 1]

1 Before the Court is Petitioner Pun Magar Sandesh’s Amended Petition for Writ of
2 Habeas Corpus pursuant to 28 U.S.C. § 2241 (“Petition”), filed on February 18, 2026. ECF
3 No. 4. Petitioner filed a previous Petition for Writ of Habeas Corpus pro se on February 9,
4 2026. ECF No. 1. On February 13, 2026, the Court appointed Federal Defenders of San
5 Diego, Inc., to represent Petitioner in the interest of justice. ECF No. 2; 18 U.S.C. §
6 3006A(a)(2)(B).

7 Respondents are hereby **ORDERED TO SHOW CAUSE** as to why the Petition
8 should not be granted by filing a Response no later than 5:00 p.m. on **Monday, February**
9 **23, 2026**. The Response shall include **any documents relevant to the determination of**
10 **the issues raised in the Petition** and address whether an evidentiary hearing on the Petition
11 is necessary. Respondents **SHALL SERVE** a copy of the Response on the Petitioner.
12 Petitioner may file an optional Traverse in support of the Petition no later than 5:00 p.m.
13 on **Tuesday, February 24, 2026**. After the petition has been fully briefed, the Court will
14 determine whether it is appropriate to take the matter under submission or if oral argument
15 will be required.

16 To preserve the Court’s jurisdiction pending a ruling in this matter, Petitioner shall
17 not be removed from this District unless and until the Court orders otherwise. *See Doe v.*
18 *Bondi*, Case. No. 25-cv-805-BJC-JLB, 2025 WL 1870979 at *2 (S.D. Cal. June 11, 2025)
19 (“Federal courts retain jurisdiction to preserve the status quo while determining whether it
20 has subject matter jurisdiction over a case and while a petition is pending resolution from
21 the court.”) (citing cases); *A.M. v. LaRose et al.*, 25-cv-01412, ECF No. 2 (S.D. Cal. June
22 4, 2025) (“Pursuant to Petitioner’s request for a Temporary restraining order, the Court
23 hereby (1) RESTRAINS and ENJOINS Respondents, their agents, employees, successors,
24 attorneys, and all persons in active concert and participation with them, from removing
25 Petitioner A.M. from the United States or this District pending further order of this Court”);
26 *see also A.A.R.P v. Trump*, 605 U.S. 91, 97 (2025) (Federal courts have “the power to issue
27 injunctive relief to prevent irreparable harm to the applicant and to preserve [] jurisdiction
28 over the matter.”); *Nguyen v. Scott*, No. 2:25-CV-01398, 2025 WL 2097979, at *3 (W.D.

1 Wash. July 25, 2025) (enjoining the Respondents from removing Petitioner without
2 approval from the court).

3 **IT IS SO ORDERED.**

4 Dated: February 18, 2026

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6 Honorable James E. Simmons Jr.
7 United States District Judge

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