



1 The Federal Public Defender for the District of Nevada (“FPD”) is **HEREBY APPOINTED**  
2 to represent Petitioner Juan Aguirre and is directed to file a notice of appearance by **March 19,**  
3 **2026. IT IS FURTHER ORDERED** Petitioner, with the assistance of counsel, must file an  
4 amended petition for a writ of habeas corpus by **March 24, 2026.** Alternatively, the FPD may  
5 notify the Court that it is unable to represent Petitioner. If the FPD is unable to represent Petitioner  
6 based on a conflict of interest, or for any other reason, alternate counsel will be appointed.  
7 Appointed counsel will represent Petitioner in all federal proceedings related to this matter,  
8 including any appeals or *certiorari* proceedings, unless appointed counsel is allowed to withdraw.

9 **IT IS FURTHER ORDERED** that the Clerk of the Court will send a copy of this Order to  
10 the FPD and the CJA coordinator for this division.

11 Furthermore, the Court has reviewed the Petition (ECF No. 1-1) and preliminarily finds  
12 Petitioner can likely demonstrate that his circumstances warrant the same relief this Court ordered  
13 for Petitioners Mena-Vargas and Reyes-Lopez in Escobar Salgado v. Mattos, No. 2:25-cv-01872-  
14 RFB-EJY, 2025 WL 3205356 (D. Nev. Nov. 17, 2025) (No. 25).

15 Therefore, Respondents are **ORDERED TO SHOW CAUSE** why the writ should not be  
16 granted. See 28 U.S.C. § 2243. Respondents shall file a **notice of appearance** by **March 19, 2026.**  
17 Furthermore, Respondents must file “**a return certifying the true cause of detention**” on or  
18 before **March 27, 2026.** See id. Petitioner may file a traverse on or before **March 31, 2026.**

19 **IT IS FURTHER ORDERED** the Parties shall indicate in their briefing whether they  
20 request oral argument or an evidentiary hearing on the Petition. The Court is amenable to ruling  
21 on the papers if the Parties indicate that they are willing to waive a hearing. If Respondents do not  
22 plan to offer new arguments—*i.e.*, arguments which have not been addressed by this Court—they  
23 may: indicate as much, reference their previous briefing, and reserve their appellate rights. They  
24 may not, however, incorporate briefing in a manner that would circumvent the page limits under  
25 LSR 3-2 without leave. Respondents should file any referenced briefing as an attachment for  
26 Petitioner’s Counsel’s review.

27 Additionally, the Court finds Petitioner has established a *prima facie* case for relief and  
28 that ordering Respondents to produce documents reflecting the basis for their detention of

1 Petitioner is necessary for the Court to “dispose of the matter as law and justice require.” See  
2 Harris v. Nelson, 394 U.S. 286, 290 (1969) (holding that “a district court, confronted by a petition  
3 for habeas corpus which establishes a *prima facie* case for relief, may use or authorize the use of  
4 suitable discovery procedures . . . reasonably fashioned to elicit facts necessary to help the court  
5 to ‘dispose of the matter as law and justice require’”) (citing 28 U.S.C. § 2243). Therefore, **IT IS**  
6 **FURTHER ORDERED** Respondents must file any documents referenced, or relied upon, in their  
7 return alongside this filing. If Respondents’ asserted basis for detaining Petitioner is reflected in  
8 any documents in their possession, including, but not limited to, an arrest warrant, notice to appear,  
9 Form-286, and/or Form I-213 relevant to Petitioner’s arrest, detention, and/or removal  
10 proceedings, Respondents must so indicate and file said documents with their pleading. If no such  
11 documents exist to support the asserted basis for detention, Respondents must indicate that in their  
12 return.

13 **IT IS FURTHER ORDERED** Local Rules 7-2, 7-3, and 7-4 will govern the requirements  
14 and scheduling of all other motions filed by either party.

15 **IT IS FURTHER ORDERED** the Parties shall file all documents and exhibits in accordance  
16 with Local Rules LR IA 10-1 through 10-5.

17 **IT IS FURTHER ORDERED** the Parties must meet and confer regarding any requests for  
18 an extension of deadlines and stipulate to the extension if possible. Any motion for extension must  
19 certify efforts taken to meet and confer and indicate the opposing party’s position regarding the  
20 extension. Any motion or stipulation must comply with Federal Rule of Civil Procedure 6(b) and  
21 Local Rules IA 6-1, 6-2.

22 In order to preserve this Court’s jurisdiction over the pending § 2241 Petition, **IT IS**  
23 **FURTHER ORDERED** that Respondents shall not transfer Petitioner to a detention center  
24 outside of this judicial district, pending further order of the Court. This Court has “express  
25 authority under the All Writs Act to issue such temporary injunctions as may be necessary to  
26 protect its own jurisdiction.” See 28 U.S.C. § 1651(a) (establishing the All Writs Act which  
27 empowers federal courts to “issue all writs necessary or appropriate in aid of their respective  
28 jurisdictions”); F.T.C. v. Dean Foods Co., 384 U.S. 597, 601 (1966) (emphasizing that federal

1 courts have the power “to preserve the court’s jurisdiction or maintain the *status quo* by injunction  
2 pending review of an agency’s action”); see also Al Otro Lado v. Wolf, 952 F.3d 999, 1007 n.6  
3 (9th Cir. 2020) (“Having concluded that [agency action] would interfere with the court’s  
4 jurisdiction . . . , the district court properly issued an injunction under the All Writs Act.”) (citing  
5 28 U.S.C. § 1651(a)). The Court finds Petitioner’s removal from the United States District of  
6 Nevada, or more broadly, the United States, could interfere with the Court’s jurisdiction over his  
7 claims and with the Court’s ability to expeditiously resolve the Petition. The Court thus finds this  
8 Order is warranted to maintain the *status quo* pending this Court’s review of the Petition.

9 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly instructed to:

10 1. **ADD** the United States Attorney for the District of Nevada to the docket as an Interested  
11 Party. Pursuant to the District of Nevada’s General Order 2026-03 (Feb 13, 2026), this constitutes  
12 service on all federal respondents under Federal Rule of Civil Procedure 4 and 28 U.S.C. § 2243.

13 2. **SEND**, through CM/ECF, a copy of the Petition (ECF No. 1-1) and this Order to Counsel  
14 for Respondent John Mattos at ahesman@strucklove.com.

15 3. **MAIL** a copy of the Petition (ECF No. 1-1) and this Order pursuant to Rule 4(i)(2) of  
16 the Federal Rules of Civil Procedure to Respondent John Mattos at Nevada Southern Detention  
17 Center, 2190 E. Mesquite Ave., Pahrump, NV 89060.

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19 **DATED:** March 17, 2026.



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21 **RICHARD F. BOULWARE, II**  
22 **UNITED STATES DISTRICT JUDGE**  
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