

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:26-cv-01365-SPG-ADS

Date April 21, 2026

Title Saajan Dhiman v. David Marin et al

Present: The Honorable SHERILYN PEACE GARNETT
UNITED STATES DISTRICT JUDGE

P. Gomez
Deputy Clerk

Not Reported
Court Reporter / Recorder

Attorneys Present for Plaintiff:
Not Present

Attorneys Present for Defendants:
Not Present

**Proceeding: (IN CHAMBERS) ORDER DENYING EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING ORDER [ECF NO. 2]**

On March 19, 2026, Petitioner Saajan Dhiman (“Petitioner”) filed a Petition for Writ of Habeas Corpus, (ECF No. 1 (“Petition”)), Ex Parte Application for Temporary Restraining Order, (ECF No. 2 (“Application”)), and Motion for Appointment of Counsel, (ECF No. 3 (“Motion”)). On March 24, 2026, in light of a deficiency notice issued regarding the absence of payment of a filing fee, the Court declined to proceed in the case. See (ECF No. 9). The Court received payment of the filing fee from Petitioner on April 16, 2026, (ECF No. 13). Upon review of the Petition and Application, the Court DENIES the Application and refers the Petition and Motion to the presiding Magistrate Judge.

I. Background

Petitioner is currently detained by Immigration and Customs Enforcement (“ICE”) at Adelanto ICE Processing Center and requests (1) immediate release from custody and return him to “the last uncontested status which preceded the pending controversy”; (2) prospective injunctive relief preventing his re-detention absent compliance with governing immigration regulations and due process protections; and (3) an injunction preventing his transfer out of the Central District of California pending adjudication of the Petition. See (Pet. ¶ 1); (App. at 10). As Respondents, Petitioner names David Marin, Warden of Adelanto ICE Processing Center; Todd Lyons, Acting Director of ICE; Thomas Giles, Director of the Los Angeles ICE Field Office; Markwayne Mullin, Secretary of the Department of Homeland Security, and Todd Blanche, Acting Attorney General of the United States (collectively, “Respondents”).¹ (Pet.

¹ Respondent Todd Blanche substitutes Pamela Bondi, who, in her official capacity, was the originally named respondent Attorney General in this action. See Fed. R. Civ. P. 25(d) (“The officer’s successor is automatically substituted as a party.”).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:26-cv-01365-SPG-ADS

Date April 21, 2026

Title Saajan Dhiman v. David Marin et al

¶¶ 7–10). Respondents filed a response to the Application on April 6, 2026, representing that Petitioner received a bond hearing on April 3, 2026, at which an Immigration Judge denied his request for release on bond. (ECF No. 11 (“Response”) at 2). Specifically, the Immigration Judge found that, even though Petitioner’s immigration counsel did not appear for the hearing, Petitioner did not demonstrate by a preponderance of the evidence that he was not a flight risk. (*Id.* Ex. A (“Immigration Judge Order”). Petitioner filed a Reply to the Response on April 14, 2026, arguing that he was entitled to the relief sought in the Application because Respondents did not respond to the merits of the Application. (ECF No. 14 (“Reply”) at 2).

II. Application for Temporary Restraining Order

Central District of California General Order No. 26-05, filed on April 1, 2026, facilitates the “expeditious resolution” of “all [28 U.S.C.] § 2241 Immigration Petitions, unless otherwise ordered by the judge assigned to the case.” C.D. Cal. GO 26-05. The General Order establishes the following briefing schedule for a § 2241 habeas petition:

- | | |
|-----------------------|--|
| Notice of Appearance: | Three (3) calendar days after the Clerk’s Office issues the scheduling notice. |
| Respondents’ Answer: | Seven (7) calendar days after the Clerk’s Office issues the scheduling notice. Any arguments that the petition should be dismissed shall be made in the answer and not by separate motion. |
| Petitioner’s Reply: | Three (3) calendar days after the filing of an answer for represented petitioners; fourteen (14) days from service of the answer for pro se petitioners. |

See id. § 2.

This briefing schedule is “intended to provide a prompt resolution to habeas petitions and reduce the contemporaneous filing of applications for a temporary restraining order.” *Id.* § 3. An application for temporary restraining order is appropriate, however, if the petitioner “alleges imminent, irreparable harm that cannot be addressed by the standard scheduling order or by expediting the briefing schedule.” *Id.* For example, a sister court in the Central District denied an application for temporary restraining order in part because the petitioner’s “generalized claim of constitutional deprivation without specific, individualized exigency (e.g., a severe, untreated medical emergency) does not justify granting ultimate relief on an ex parte basis, especially given the expedited briefing schedule in General Order 26-05.” *See Wang v. Warden of Desert View Annex Det. Facility et al*, No. 5:26-cv-01595-DFM, 2026 WL 931095, at *1 (C.D. Cal. Apr. 2, 2026).

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. 5:26-cv-01365-SPG-ADS

Date April 21, 2026

Title Saajan Dhiman v. David Marin et al

The Court finds that Petitioner has not shown “imminent, irreparable harm” in his Application to justify *ex parte* emergency relief. Petitioner asserts that, “[a]s a result of this detention, Petitioner has lost his brand new car and has lost his [two] jobs and dropped from Santa Ana College, . . . and is about to lose his apartment plus everything inside of it.” (App. at 7). The harm related to Petitioner’s car, jobs, and education at Santa Ana College has since passed, and Petitioner has not demonstrated that the loss of his apartment is so imminent that it could not be addressed by the expedited briefing schedule described in General Order 26-05. Therefore, the Court concludes that Petitioner has not raised a specific, individualized harm that rises above a “generalized claim of constitutional deprivation.” See (*id.*).

III. Conclusion

Accordingly, the Court DENIES Petitioner’s Application for Temporary Restraining Order. The Court refers the Petition and pending Motion for Appointment of Counsel to the presiding Magistrate Judge for adjudication in accordance with General Order 26-05, Exhibit B, which states as follows:

The Petitioner has filed a petition for writ of habeas corpus under 28 U.S.C. § 2241 alleging that he or she is in custody in violation of the Constitution or laws of the United States and seeking a form of immigration-related relief. A court considering a habeas corpus petition “shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted.” 28 U.S.C. § 2243. The Court hereby directs Respondents to show cause why the writ of habeas corpus should not be granted. General Order 26-05 sets the following briefing schedule, which shall govern unless the assigned Judge otherwise orders:

1. The Clerk is directed to effectuate immediate service of the habeas petition filed in this case upon Respondent by emailing a copy of the habeas petition and this order to USACAC.ImmHabeas@usdoj.gov.
2. Counsel for Respondent shall file a notice of appearance within 3 calendar days of the date the Clerk’s Office issues this notice.
3. Respondent shall file an answer to the habeas petition no later than 7 days from the date the Clerk’s Office issues this notice. Any arguments that the petition should be dismissed shall be made in the answer and not by separate motion.
4. Any reply shall be filed no later than 3 days after the answer is filed, or in the case of an unrepresented petitioner, 14 days after the answer is served.
5. If any of these deadlines fall on a weekend, holiday, or day the court is closed, the deadline shall be the next business day on which the court is

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

| | | | |
|----------|------------------------------------|------|----------------|
| Case No. | 5:26-cv-01365-SPG-ADS | Date | April 21, 2026 |
| Title | Saajan Dhiman v. David Marin et al | | |

open.

6. During the pendency of these proceedings, Respondent shall provide at least two court days' notice to the petitioner, petitioner's counsel, and the Court of its intent to remove the petitioner from the Central District of California.
7. If any party seeks to accelerate or extend the briefing schedule, the parties shall promptly meet and confer. After doing so, the parties shall file a stipulation or a joint statement that contains the parties' competing proposals for a briefing schedule.

IT IS SO ORDERED.

_____ : _____
Initials of Preparer pg _____