

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

SELVIN SAIAS SITUJ GARCIA,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 2:26-cv-00025-JAW
	)	
DERRICK STAMPER, <i>in his</i>	)	
<i>official capacity as Chief Patrol</i>	)	
<i>Agent, Houlton Sector, U.S. Border</i>	)	
<i>Patrol, et al.,</i>	)	
	)	
Respondents.	)	

**ORDER TO SHOW CAUSE**

On January 18, 2026 Selvin Isaias Situj Garcia filed a verified petition for writ of habeas corpus and an emergency motion seeking a temporary restraining order (TRO) against his removal from the District of Maine and to ensure his access to counsel pending his habeas proceedings. *Pet. for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241* (ECF No. 1) (*Pet.*); *Emer. Mot. for TRO to Stop Transfer Without Prior Consent* (ECF No. 3) (*Mot. for TRO*). Mr. Garcia, a resident of Middlesex County, Massachusetts, is Guatemalan citizen who arrived in the United States in September 2021. *Id.* ¶ 1. On January 15, 2026, U.S. Immigration and Customs Enforcement (ICE) arrested and detained Mr. Garcia while he was working at a construction site in Bethel, Maine. *Id.* ¶ 3.

Mr. Garcia alleges his detention violates the Immigration Nationality Act and his due process rights under the Fifth Amendment of the United States Constitution. *Id.* ¶¶ 42-51. He seeks a TRO enjoining his transfer pending his habeas proceedings

against the U.S. Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) Office of Field Operations, ICE Enforcement and Removal Operations, the U.S. Department of Justice Executive Office of Immigration Review, Derrick Stamper, in his official capacity as Chief Patrol Agent for the Houlton Sector of U.S. Border Patrol, Rodney Scott in his official capacity as Commissioner of CBP, David Wesling, in his official capacity as Director for the Boston ICE Field Office, Todd Lyons, in his official capacity as Acting Director of ICE, Kristi Noem, in her official capacity as Secretary of DHS, and Pamela J. Bondi, in her official capacity as U.S. Attorney General. *Id.* ¶¶ 5-15; *Mot. for TRO* at 1-4. He also seeks, inter alia, an order requiring an Immigration Judge to provide him with a bond hearing as soon as possible, or in the alternative, a writ of habeas corpus ordering his immediate release during his habeas proceedings. *Id.* 10-11.

On January 18, 2026, after Mr. Garcia filed his habeas petition but prior to the Court issuing its emergency order blocking Mr. Garcia's transfer from the District of Maine, Respondents moved Mr. Garcia to a holding facility in Louisiana. At the January 20, 2026 teleconference of counsel, the parties agreed to brief the Court on whether the Court may order Mr. Garcia's return to the District of Maine. *Min. Entry* (ECF No. 6).

In accordance with 28 U.S.C. § 2243, the Court ORDERS Respondents to SHOW CAUSE by January 21, 2026 why this petition for a writ of habeas corpus should not be granted, including whether the Court can and should order Selvin Isaias Situ Garcia's return to the District of Maine. *See* 28 U.S.C. § 2243. The Court

further ORDERS Selvin Isaias Situj Garcia to file their reply no later than twenty-four hours after Respondents file their answer to this order to show cause.

SO ORDERED.

/s/ John A. Woodcock, Jr.  
JOHN A. WOODCOCK, JR.  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of January, 2026