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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

XIANG LI,  
  
Petitioner,  
  
v.  
  
CHRISTOPHER LAROSE, SENIOR  
WARDEN, OTAY MESA DETENTION  
CENTER; KRISTI NOEM,  
SECRETARY, U.S. DEPARTMENT OF  
HOMELAND SECURITY; TODD  
LYONS, ACTING DIRECTOR, U.S.  
IMMIGRATION AND CUSTOMS  
ENFORCEMENT; PATRICK DIVVER,  
FIELD OFFICE DIRECTOR, SAN  
DIEGO FIELD OFFICE, U.S.  
IMMIGRATION AND CUSTOMS  
ENFORCEMENT; SIRCE OWEN,  
ACTING DIRECTOR OF THE  
EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW (EOIR), U.S.  
DEPARTMENT OF JUSTICE; PAMELA  
BONDI, ATTORNEY GENERAL, U.S.  
DEPARTMENT OF JUSTICE,  
  
Respondents.

Case No.: 3:26-cv-448-JES-VET

**ORDER:**

- (1) STAYING REMOVAL OF PETITIONER TO PRESERVE JURISDICTION**
- (2) REQUIRING A RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS; and**
- (3) SETTING BRIEFING SCHEDULE**

**[ECF No. 1]**

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1 Before the Court is a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. §  
2 2241, filed by Petitioner Xiang Li’s (“Petitioner”). ECF No. 1.

3 To preserve the Court’s jurisdiction pending a ruling in this matter, Petitioner shall  
4 not be removed from this District unless and until the Court orders otherwise. *See Doe v.*  
5 *Bondi*, Case. No. 25-cv-805-BJC-JLB, 2025 WL 1870979 at \*2 (S.D. Cal. June 11, 2025)  
6 (“Federal courts retain jurisdiction to preserve the status quo while determining whether it  
7 has subject matter jurisdiction over a case and while a petition is pending resolution from  
8 the court.”) (citing cases); *A.M. v. LaRose et al.*, 25-cv-01412, ECF No. 2 (S.D. Cal. June  
9 4, 2025) (“Pursuant to Petitioner’s request for a Temporary restraining order, the Court  
10 hereby (1) RESTRAINS and ENJOINS Respondents, their agents, employees, successors,  
11 attorneys, and all persons in active concert and participation with them, from removing  
12 Petitioner A.M. from the United States or this District pending further order of this Court”);  
13 *see also A.A.R.P v. Trump*, 605 U.S. 91, 97 (2025) (Federal courts have “the power to issue  
14 injunctive relief to prevent irreparable harm to the applicant and to preserve [] jurisdiction  
15 over the matter.”); *Nguyen v. Scott*, No. 2:25-CV-01398, 2025 WL 2097979, at \*3 (W.D.  
16 Wash. July 25, 2025) (enjoining the Respondents from removing Petitioner without  
17 approval from the court).

18 Respondents are **ORDERED TO SHOW CAUSE** as to why the Petition should not  
19 be granted by filing a Response no later than 5:00 p.m. on **Wednesday, February 4, 2026**.  
20 The Response shall include any documents relevant to the determination of the issues  
21 raised in the Petition and address whether an evidentiary hearing is necessary. Petitioner  
22 may file an optional Traverse in support of the Petition, no later than 5:00 p.m. on **Friday,**  
23 **February 6, 2026**. However, upon receipt of the Response, the Court will consider the  
24 matter fully briefed and no oral argument will be held unless otherwise ordered.

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**IT IS SO ORDERED.**

Dated: January 30, 2026



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Honorable James E. Simmons Jr.  
United States District Judge