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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

PING ZHONG;
Petitioner,

v.

JAMES JANECKA, et al.,
Respondents.

Case No. 5:26-cv-00828-JWH-MBK
ORDER REQUIRING RESPONSE
TO PETITION

Petitioner has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. To facilitate the just, speedy, and inexpensive determination of this action, **IT IS SO ORDERED** as follows:

1. The Clerk will promptly serve copies of (a) the Petition and a copy of this Order on Respondent and the United States Attorney, or its authorized agent, in accordance with Rule 4(i) of the Federal Rules of Civil Procedure; and (b) serve a copy of this Order on Petitioner.

1 2. The Court retains discretion to determine when an answer or
2 response to a Section 2241 habeas petition is due. *See* Rules Governing
3 Section 2254 Cases 1(b) (“The district court may apply any or all of these
4 rules to a habeas corpus petition not covered by [28 U.S.C. § 2254.]”);
5 *Clutchette v. Rushen*, 770 F.2d 1469, 1474-75 (9th Cir. 1985) (recognizing
6 that, pursuant to Habeas Rule 4, the federal court has discretion to fix a
7 time to file an answer). In setting a schedule, the Court is mindful that
8 habeas petitioners are entitled to a prompt ruling. *See Yong v. I.N.S.*,
9 208 F.3d 1116, 1120 (9th Cir. 2000) (“the statute itself directs courts to
10 give petitions for habeas corpus special, preferential consideration to
11 insure expeditious hearing and determination”) (internal citation
12 omitted); *Fay v. Noia*, 372 U.S. 391, 400 (1963) (habeas is meant to
13 provide a “swift and imperative remedy”).

14 3. In light of the nature of the issues presented in the Petition,
15 the Respondent must file an answer to the Petition by **March 2, 2026**.
16 In the answer, Respondents must address the merits of all grounds for
17 relief asserted in the petition. Any arguments that the Petition should
18 be dismissed shall be made in the answer and not by separate motion.
19 Failure to file an answer by the deadline, or to respond to any
20 Petitioner’s claims for relief, may be deemed as consent to the granting
21 of the Petition. The Respondents must electronically lodge (in the
22 manner required by the Local Rule) copies of all pertinent documents at
23 the time of that filing. **NOTE:** Judge Kaufman does not require parties
24 to provide a paper copy of electronically lodged records.

25 4. Petitioner’s optional reply to the answer will be due **March**
26 **3, 2026**.
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1 5. The Court sets a hearing for **March 4, 2026, at 10 a.m.** The
2 Court will consider granting counsel leave to appear via video conference
3 for good cause shown. Counsel may request a remote appearance by
4 emailing Judge Kaufman’s chambers at
5 MBK_Chambers@cacd.uscourts.gov.

6 6. Petitioner has not filed a request for a TRO or other form of
7 emergency relief. If Petitioner intends to seek a TRO, Petitioner must
8 file a TRO application in the form required by Local Rule 65-1. If a TRO
9 application is filed, the assigned district judge may issue further orders,
10 including setting a briefing and/or hearing schedule.

11 7. A request by a party for an extension of time within which to
12 file any of the pleadings required hereunder will be granted only upon a
13 showing of good cause and should be made in advance of the due date of
14 the pleading. Any such request shall be accompanied by a declaration
15 explaining why an extension of time is necessary and by a proposed form
16 of order granting the requested extension.
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19 **IT IS SO ORDERED.**

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21 Dated: February 23, 2026



HON. MICHAEL B. KAUFMAN
UNITED STATES MAGISTRATE JUDGE