UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MUKHTIAR SINGH, Petitioner, v. CHRISTOPHER CHESTNUT, *et al.*, Respondents.	Case No. 1:26-cv-611-DAD-JDP (P) ORDER

Mukhtiar Singh, immigration detainee represented by counsel, has filed a motion to petition for writ of habeas corpus under 28 U.S.C. § 2241. ECF No. 1. Under Rule 4 of the Rules Governing Section 2254 Cases, I must examine the habeas corpus petition and order a response to the petition unless it "plainly appears" that the petitioner is not entitled to relief.[1] It does not plainly appear that petitioner is not entitled to relief. Therefore, I order the government to respond to the petition, and I set a briefing schedule.

Accordingly, it is hereby ORDERED that:

[1] This rule may be applied to petitions brought under § 2241. *See* Rule 1(b) of the Rules Governing § 2254 Cases.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

1. The Clerk of the Court shall serve a copy of this order together with a copy of petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on the United States Attorney.

2. Within twenty-one days of the date of service of this order, the respondent must file a response to the petition.

3. A response may be one of the following:

A. An answer addressing the merits of the petition. Any argument by the respondent that petitioner has procedurally defaulted a claim must be raised in the answer, which must also address the merits of petitioner's claims.

B. A motion to dismiss the petition.

4. Within fourteen days of the date of service of this order, respondent must file any documents necessary for resolving the issues presented in the petition.

5. If respondent files an answer to the petition, petitioner may file a traverse within seven days of the date of service of respondent's answer. If no traverse is filed within seven days, the petition and answer are deemed submitted.

6. If respondent moves to dismiss, petitioner must file an opposition or statement of non-opposition within fourteen days of the date of service of respondent's motion. Any reply to an opposition to the motion to dismiss must be filed within seven days after the opposition is served. The motion to dismiss will be considered submitted twenty-eight days after the service of the motion or when the reply is filed, whichever comes first. *See* Local Rule 230(l).

IT IS SO ORDERED.

Dated: January 27, 2026

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE