UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

ERNESTO GALVAN OLAMENDI (A-NUMBER: 029-583-016), Petitioner, v. CHRISTOPHER CHESTNUT, *et al.*, Respondents.	Case No. 1:26-cv-5946-TLN-JDP ORDER

Petitioner, an immigration detainee proceeding in pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. 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.

In accordance with the above, IT IS HEREBY ORDERED that:

1. Within seven days of the date of service of this order, respondents must file a response to the petition.

2. A response may be one of the following:

[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

A. An answer addressing the merits of the petition. Any argument by respondents 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.

3. Within seven days of the date of service of this order, respondents must file any documents necessary for resolving the issues presented in the petition.

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

5. If respondents move to dismiss, petitioner must file an opposition or statement of non-opposition within seven days of the date of service of respondents' 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-one 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: August 4, 2026

JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE