UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

LORENZO TRUJILLO MIJARES (A-074-040-709), Petitioner, v. WARDEN, MESA VERDE DETENTION FACILITY, et al., Respondents.	No. 1:26-cv-5948 DC CSK ORDER

Petitioner, an immigration detainee proceeding without counsel, filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. (ECF No. 1.) Petitioner did not pay the court's $5.00 filing fee or file a request to proceed in forma pauperis. Petitioner is granted 10 days to either pay the filing fee or file an application to proceed in forma pauperis under 28 U.S.C. § 1915. Rule 1(b) of the Rules Governing Habeas Corpus Cases Under Section 2254 allows a district court to apply any or all of the rules to other types of habeas corpus petitions including § 2241 petitions.

The court has conducted a preliminary review of the petition pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254. Because petitioner may be entitled to the requested relief if the claimed violation of constitutional rights is proved, respondents are directed to show cause why the writ should not be granted by filing an answer or motion to dismiss within 7 days from the date of this order. See 28 U.S.C. § 2243.

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

1. Petitioner Lorenzo Trujillo Mijares (A-074-040-709) is granted 10 days to either pay the court's filing fee or file an application to proceed in forma pauperis.

2. Respondents are directed to file an answer or motion to dismiss within 7 days from the date of this order. Respondents are warned that the failure to respond to the petition will be interpreted as non-opposition to granting the relief requested in the habeas petition.

3. Petitioner's reply/traverse to an answer or opposition to a motion to dismiss, if any, is due within 10 days after being served with a copy of respondents' answer or motion to dismiss. A reply by respondents to an opposition to a motion to dismiss is due within 7 days after being served with the opposition.

4. The Clerk of the Court shall send petitioner an application to proceed in forma pauperis.

5. Each party proceeding without counsel shall keep the court informed of the current address at all times while the action is pending. Any change of address must be reported promptly to the court in a separate document captioned for this case and entitled "Notice of Change of Address." A notice of change of address must be properly served on other parties. Service of documents at the address of record for a party is fully effective. L.R. 182(f).

Dated: August 3, 2026

CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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