

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

**Jose Luis Nunez Jaimes v. Warden, Otero County Processing Center,
et al.**

Nunez Jaimes v. Warden · No. Civ. No. 26-0910-KG-KRS · Decided March 27, 2026

SUMMARY

The United States District Court for the District of New Mexico orders the respondents to answer Jose Luis Nunez Jaimes's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The petition concerns an immigration detainee's alleged change in custody status without due process and possibly the lack of an adequate bond hearing. The court directs the United States Attorney's Office to respond within ten business days and permits an optional reply within seven business days thereafter.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO JOSE LUIS NUNEZ JAIMES, Petitioner, v. Civ. No. 26-0910-KG-KRS WARDEN, Otero County Processing Center, MARY DE ANDA-YBARRA, Field Office Director of Enforcement and Removal Operations, El Paso Field Office, Immigration and Customs Enforcement; TODD LYONS, Acting Director Immigration and Customs Enforcement; MARKWAYNE MULLIN, U.S. Department Of Homeland Security; AND PAMELA BONDI, U.S. Attorney General, Respondents,¹ ORDER TO ANSWER This matter is before the Court on the Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 (Doc.

1) (Petition). Petitioner is an immigration detainee at the Otero County Processing Center and is proceeding pro se. The Petition appears to challenge Petitioner's change in custody status without due process and possibly the failure to provide an adequate bond hearing. Accepting the facts as true, Petitioner has raised a colorable claim for relief.

The Clerk's Office has electronically served Respondents by Notice of Electronic Filing (NEF) using the Case Management and Electronic Case Filing (CM/ECF) system. (Doc. 3). The Court will set 1 The Court will add the above-mentioned parties as Respondents. See Torres-Torres v. Miller, 2020 WL 4430519 (D.N.M. July 31, 2020) (discussing the respondents in an immigration habeas case); Lowmaster v. Dir., Bureau of Prisons, 2024 WL 5135970, at *1 (D.

Kan. Dec. 17, 2024) ("the Court notes that it routinely substitutes the" proper parties as "respondent in habeas cases"); Danderson v. Page, 2024 WL 3913051, at *2 (E.D. Okla. Aug. 20, 2024) (substituting the proper party respondent in a habeas case). a briefing schedule, as set forth below. IT IS ORDERED that: 1.

The United States Attorney's Office must answer the Petition within ten (10) business days of entry of this Order. 2. If Petitioner wishes to file an optional reply, he must do so within seven (7) business days after the response is filed. 3.

The Clerk's Office shall update CM/ECF to include the Respondents added by this Order.
/s/Kenneth J. Gonzales_____ CHIEF UNITED STATES DISTRICT JUDGE •

Please note that this document has been electronically filed.

To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the Court's PACER public access system.