

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.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kenneth J. Gonzales
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 27, 2026
DOCKET	Civ. No. 26-0910-KG-KRS
DISPOSITION	other
PROCEDURAL POSTURE	Petition for writ of habeas corpus under 28 U.S.C. § 2241 by an immigration detainee; the court issued an order requiring respondents to answer.
STANDARD OF REVIEW	For purposes of determining whether to order a response, the court accepted the petition's factual allegations as true and assessed whether they stated a colorable claim for relief.
PRECEDENTIAL VALUE	Nonprecedential district court order
PARTIES	Jose Luis Nunez Jaimes v. 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, Pamela Bondi, U.S. Attorney General

TOPICS

immigration detention

removal proceedings

procedural due process

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PRACTICE AREAS

immigration

habeas corpus

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constitutional law

QUESTIONS PRESENTED

1. Whether the petitioner's allegations concerning a change in immigration custody status without due process and the possible denial of an adequate bond hearing stated a colorable claim under 28 U.S.C. § 2241 warranting an answer.
2. Whether the court should add the proper respondent parties in the immigration habeas proceeding.

HOLDINGS

1. Accepting the petition's factual allegations as true, the petitioner raised a colorable claim for relief concerning his immigration custody status and possible entitlement to an adequate bond hearing; respondents therefore must answer the petition.
2. The court added the identified custodial and agency officials as respondents in the immigration habeas proceeding.

FACTUAL BACKGROUND

Jose Luis Nunez Jaimes is an immigration detainee held at the Otero County Processing Center. He alleged that his custody status was changed without due process and that he may not have received an adequate bond hearing. The court treated those allegations as sufficient at the preliminary stage to warrant a response.

PROCEDURAL HISTORY

Petitioner, an immigration detainee proceeding pro se, filed a § 2241 habeas petition challenging a change in custody status without due process and possibly the failure to provide an adequate bond hearing. The court found that, accepting the petition's allegations as true, it raised a colorable claim for relief, added the proper respondents, electronically served them, and ordered an answer and optional reply according to a briefing schedule.

DISPOSITION

other

CASES CITED

- Torres-Torres v. Miller, 2020 WL 4430519 (D.N.M. July 31, 2020)
- Lowmaster v. Dir., Bureau of Prisons, 2024 WL 5135970, at *1 (D. Kan. Dec. 17, 2024)
- Danderson v. Page, 2024 WL 3913051, at *2 (E.D. Okla. Aug. 20, 2024)

