

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Charles Nkeza v. Warden Eric Rokosky, Elizabeth Detention Center,
et al.

Nkeza · No. Civil Action No. 26-2302 (GC) · Decided March 5, 2026

SUMMARY

The United States District Court for the District of New Jersey screened Charles Nkeza’s counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention. The Court ordered that Nkeza not be transferred from the district or removed from the United States pending further order, denied the motion for a temporary restraining order as moot and the request for an order to show cause, and directed respondents to file a complete answer and administrative record within 21 days.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	George A. Castner
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	March 5, 2026
DOCKET	Civil Action No. 26-2302 (GC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241, a motion for a temporary restraining order preventing transfer, and a request for an order to show cause. The district court screened the petition under Habeas Rule 4 and entered interim orders without requiring an expedited show-cause response.
STANDARD OF REVIEW	Under Habeas Rule 4, the court promptly examines the petition and dismisses it if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	Unpublished, not for publication; district court memorandum and order.
PARTIES	Charles Nkeza v. Warden Eric Rokosky, Elizabeth Detention Center, Field Office Director, Newark Field Office, Enforcement and Removal

TOPICS

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PRACTICE AREAS

Immigration

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QUESTIONS PRESENTED

1. Whether the petition should be dismissed at the initial screening stage under Habeas Rule 4.
2. Whether the court should issue an order to show cause under 28 U.S.C. § 2243.
3. Whether the court could temporarily prohibit petitioner's transfer from New Jersey or removal from the United States under the All Writs Act.
4. Whether petitioner's motion for a temporary restraining order remained necessary after the court entered a direct restraint on transfer and removal.

HOLDINGS

1. Dismissal without an expedited answer and production of the record was not warranted because it did not plainly appear from the petition and attached exhibits that petitioner was not entitled to relief.
2. The court was not required to issue an order to show cause and denied petitioner's request for one.
3. The court ordered that petitioner not be transferred from the District of New Jersey or removed from the United States pending further order of the court.

KEY QUOTATIONS

“Under Habeas Rule 4, the Court must promptly examine the Petition to determine whether it should be dismissed on the grounds that “it plainly appears from the petition and any attached exhibits that the petitioner is not entitled to relief.””

“Pursuant to the All Writs Act, see 28 U.S.C. § 1651(a) (empowering the federal courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law”), the Court orders that Petitioner shall not be transferred from the District of New Jersey, or removed from the United States, pending further order of this Court.”

FACTUAL BACKGROUND

Petitioner Charles Nkeza is an immigration detainee held at the Elizabeth Contract Detention Facility in Elizabeth, New Jersey. He filed a § 2241 habeas petition challenging matters related to his detention and sought to prevent transfer and removal while the petition was pending. The court did not identify a basis for summary dismissal on the face of the petition and therefore required respondents to provide a full answer and the administrative record.

PROCEDURAL HISTORY

Charles Nkeza, an immigration detainee held at the Elizabeth Contract Detention Facility in New Jersey, filed a § 2241 habeas petition. He also sought to prevent his transfer and requested an order to show cause. After screening the petition, the court concluded that dismissal was not warranted, barred transfer from the District of New Jersey or removal from the United States pending further order, denied the TRO as moot, denied the request for an order to show cause, and directed respondents to file a complete answer and the relevant administrative record within twenty-one days.

DISPOSITION

other

CASES CITED

- Schumaker v. Knight, No. 23-20834, 2024 WL 866347 (D.N.J. Feb. 29, 2024)
- Iremashvili v. Rodriguez, No. 15-6320, 2017 WL 935441 (D.N.J. Mar. 9, 2017)
- Benitez Castro v. Bondi, No. 25-17598, 2025 WL 3213829 (D.N.J. Nov. 18, 2025)

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