

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Horacio Garcia Coverrubias v. Leander Holston, et al.

Garcia Coverrubias · No. 2:25-cv-02445-RFB-DJA · Decided December 22, 2025

SUMMARY

The United States District Court for the District of Nevada ordered the respondents to show cause why a writ of habeas corpus under 28 U.S.C. § 2241 should not be granted to an immigration detainee challenging the lawfulness of his detention. The court required respondents to file a notice of appearance, a return certifying the cause of detention, and supporting detention-related documents, and permitted a traverse by the petitioner. The court also directed that the petitioner not be transferred out of the district and ordered service of the petition and order on the respondents and specified government officials.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 DISTRICT OF NEVADA 6 * * * 7 HORACIO
GARCIA COVERRUBIAS, 8 Petitioner, Case No. 2:25-cv-02445-RFB-DJA 9 v. ORDER TO
SHOW CAUSE 10 LEANDER HOLSTON, et al., 11 Respondents. 12 Petitioner Horacio Garcia
Coverrubias, immigration detainee, has filed a counseled, 13 amended Petition for Writ of Habeas
Corpus under 28 U.S.C. § 2241 (ECF No. 3) challenging the 14 lawfulness of his detention at
Nevada Southern Detention Center in the custody of Federal 15 Respondents.

The Court has reviewed the Petition and preliminarily finds Petitioner can likely 16 demonstrate
that his circumstances warrant the same relief as this Court ordered for Petitioner 17 Escobar-
Salgado in Escobar Salgado v. Mattos, No. 2:25-CV-01872-RFB-EJY, 2025 WL 18 3205356 (D.
Nev. Nov. 17, 2025). 19 Therefore, Respondents are ORDERED TO SHOW CAUSE why the
Writ should not be 20 granted.

See 28 U.S.C. § 2243. Respondents shall file, in writing, a (i) notice of appearance and 21 (ii) “a
return certifying the true cause of detention” on or before December 29, 2025. See id. 22
Petitioner may file a traverse on or before December 31, 2025. 23 IT IS FURTHER ORDERED
that the Parties shall indicate in their briefing whether they 24 request oral argument or an
evidentiary hearing on the Petition.

The Court would be amenable to 25 ruling on the papers if the Parties indicate that they are
willing to waive a hearing. If Respondents 26 have no new arguments to offer that have not
already been addressed by the Court, they may so 27 indicate by reference to their previous
briefing, while reserving appellate rights. They may not, 28 1 however, incorporate briefing in a
manner that would circumvent the page limits under LSR 3-2 2 without leave.

Respondents should file the referenced briefing as an attachment for Petitioner's 3 counsel's review. 4 Additionally, the Court finds Petitioner has established a prima facie case for relief and 5 that ordering Respondents to produce documents reflecting the basis for their detention of 6 Petitioner is necessary for the Court to "dispose of the matter as law and justice require." See 7 *Harris v. Nelson*, 394 U.S. 286, 290 (1969) (holding that "a district court, confronted by a petition 8 for habeas corpus which establishes a prima facie case for relief, may use or authorize the use of 9 suitable discovery procedures... reasonably fashioned to elicit facts necessary to help the court 10 to 'dispose of the matter as law and justice require'") (citing 28 U.S.C. § 2243).

Therefore, IT IS 11 FURTHER ORDERED that Respondents must file with their return any documents referenced 12 or relied upon in their responsive pleading. If Respondents' asserted basis for detaining Petitioner 13 is reflected in any documents in their possession, including but not limited to an arrest warrant, 14 notice to appear, Form-286, and/or Form I-213 relevant to Petitioner's arrest, detention, and/or 15 removal proceedings, Respondents must so indicate and file said documents with their pleading.

16 If no such documents exist to support the asserted basis for detention, Respondents must indicate 17 that in their return. 18 IT IS FURTHER ORDERED that Local Rules 7-2, 7-3, and 7-4 will govern the 19 requirements and scheduling of all other motions filed by either party. 20 IT IS FURTHER ORDERED that the Parties shall file all documents and exhibits in 21 accordance with Local Rules LR IA 10-1 through 10-5.

22 IT IS FURTHER ORDERED that the Parties must meet and confer regarding any requests 23 for an extension of deadlines and stipulate to the extension if possible. Any motion for extension 24 must certify efforts taken to meet and confer and indicate the opposing party's position regarding 25 the extension. Any motion or stipulation must comply with Federal Rule of Civil Procedure 6(b) 26 and Local Rules IA 6-1, 6-2.

27 IT IS FURTHER ORDERED that Respondents shall not transfer Petitioner out of this 28 District. See *F.T.C. v. Dean Foods Co.*, 384 U.S. 597, 604 (1966) (noting the court's "express 1 authority under the All Writs Act to issue such temporary injunctions as may be necessary to 2 protect its own jurisdiction"); *Al Otro Lado v. Wolf*, 952 F.3d 999, 1007 n.6 (9th Cir.

2020) 3 ("Having concluded that [agency action] would interfere with the court's jurisdiction..., the 4 district court properly issued an injunction under the All Writs Act.") (citing 28 U.S.C. § 1651(a)). 5 Given the exigent circumstances, the Court finds that this Order is warranted to maintain the status 6 quo pending resolution on the merits and finds that Petitioner has satisfied the factors governing 7 the issuance of such preliminary relief.

8 IT IS FURTHER KINDLY ORDERED that the Clerk of Court: 9 1. DELIVER a copy of the Petition (ECF No. 3), attachments (ECF No. 4), and this Order 10 to the U.S. Marshal for service.

11 2. ADD the United States Attorney for the District of Nevada to the docket as an Interested 12
Party. 13 3. SEND, through CM/ECF, a copy of the Petition (ECF No. 3), attachments (ECF No.
4), 14 and this Order to: 15 i. The United States Attorney for the District of Nevada at 16
Sigal.Chattah@usdoj.gov, Veronica.criste@usdoj.gov, 17 summer.johnson@usdoj.gov, and
caseview.ecf@usdoj.gov. in accordance with 18 Federal Rule of Civil Procedure 5(b)(2)(E).

19 ii. Counsel for Facility Warden John Mattos (NSDC) at 20 ahesman@strucklove.com. 21 4.
MAIL a copy of the Petition (ECF No. 3), attachments (ECF No. 4), and this Order 22 pursuant to
Rule 4(i)(2) of the Federal Rules of Civil Procedure to: 23 1) Leander Holston, 501 S. Las Vegas
Boulevard, Ste. 200, Las Vegas, NV 89101. 24 2) Kristi Noem, Secretary, United States
Department of Homeland Security, 245 25 Murray Lane SW, Washington, DC 20528.

26 3) Pamela Bondi, Attorney General of the United States, 950 Pennsylvania 27 Avenue, NW,
Washington, DC, 20530. 28 4) John Mattos, Warden, Nevada Southern Center, 2190 E. Mesquite
Ave.] Pahrump, NV 89060. 2 IT IS FURTHER ORDERED that the U.S. Marshal SERVE a copy
of the Petition (ECF No. 3), attachments (ECF No. 4), and this Order on the United States
Attorney for the District of 4 Nevada or on an Assistant United States Attorney or clerical
employee designated by the United 5 | States Attorney pursuant to Rule 4(1)(1)(A)(1) of the
Federal Rules of Civil Procedure.

6 7 DATED: December 22, 2025 M2 9 RICHARD F. BOULWARE, II 10 UNITED STATES
DISTRICT JUDGE 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 -4-