

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Jonnathan Romero Marentes v. Warden of the Golden State Annex
Detention Facility et al.

Romero Marentes · No. 1:26-cv-00247-TLN-EFB · Decided January 13, 2026

SUMMARY

The United States District Court for the Eastern District of California construed an immigration detainee’s pro se petition under 28 U.S.C. § 2241 as a motion for a temporary restraining order. The court ordered a response, prohibited transfer of the petitioner outside the district pending further order, provisionally authorized in forma pauperis status, and directed the appointment of counsel.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 13, 2026
DOCKET	1:26-cv-00247-TLN-EFB
DISPOSITION	other
PROCEDURAL POSTURE	An immigration detainee proceeding pro se filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. The district court construed the pleading as a motion for a temporary restraining order and entered interim protective and case-management orders.
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Jonnathan Romero Marentes v. Warden of the Golden State Annex Detention Facility et al.

TOPICS

- immigration detention
- federal habeas corpus
- injunctions
- civil procedure
- immigration

PRACTICE AREAS

- immigration detention
- federal habeas corpus
- civil procedure
- injunctions
- appointment of counsel

QUESTIONS PRESENTED

1. Whether the pro se § 2241 pleading should be construed as a motion for a temporary restraining order based on its substance and requested relief.
2. Whether interim relief was necessary to preserve the district court's jurisdiction by prohibiting transfer of petitioner outside the district pending further order.
3. Whether petitioner should be provisionally permitted to proceed in forma pauperis and receive appointed counsel.

HOLDINGS

1. The court construed petitioner's § 2241 pleading as a motion for a temporary restraining order based on the substance of the brief and the relief requested.
2. Pending further order, respondents may not transfer petitioner to another detention center outside the Eastern District of California.
3. Petitioner was provisionally authorized to proceed without prepayment of the filing fee, subject to filing an application to proceed in forma pauperis by February 10, 2026.
4. The court directed the appointing authority for the Eastern District of California to identify counsel for petitioner within seven days and authorized service as CJA counsel under Local Rule 180(b)(1), if necessary.

KEY QUOTATIONS

“Based on the substance of Petitioner’s brief and the relief requested therein, the Court construes Petitioner’s pleading as a motion for a temporary restraining order.” (1)

“Pending the Court’s ruling on this petition, Respondents shall not take any action to transfer Petitioner out of this District.” (1)

“In light of the complexity of the legal issues involved, the Court has determined that the interests of justice require the appointment of counsel for Petitioner.” (2)

FACTUAL BACKGROUND

Jonnathan Romero Marentes was an immigration detainee representing himself and filed a pleading labeled as a petition for a writ of habeas corpus under 28 U.S.C. § 2241. Based on the substance of his brief and the relief requested, the court treated the pleading as a request for a temporary restraining order. The court also found that the circumstances of his detention and the complexity of the legal issues warranted provisional in forma pauperis authorization and appointment of counsel.

PROCEDURAL HISTORY

Petitioner filed a § 2241 habeas petition concerning his detention. Before ruling on the petition or the request for interim relief, the court ordered respondents to respond, prohibited transfer of petitioner outside the district pending further order, provisionally authorized in forma pauperis status, and directed appointment of counsel.

DISPOSITION

CASES CITED

- Estelle v. Gamble, 429 U.S. 97, 106 (1976)
- F.T.C. v. Dean Foods Co., 384 U.S. 597, 608 (1966)
- Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983)

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 FOR THE EASTERN DISTRICT OF
CALIFORNIA 9 10 JONNATHAN ROMERO MARENTES, 11 Petitioner, No. 1:26-cv-00247-
TLN-EFB 12 v. 13 WARDEN OF THE GOLDEN STATE ORDER ANNEX DETENTION
FACILITY et al., 14 Respondents. 15 16 Petitioner Jonnathan Romero Marentes (“Petitioner”), an
immigration detainee who is 17 representing himself, filed a petition for a writ of habeas corpus
pursuant to 28 U.S.C. § 2241.

18 Based on the substance of Petitioner’s brief and the relief requested therein, the Court construes
19 Petitioner’s pleading as a motion for a temporary restraining order. Estelle v. Gamble, 429 U.S.
20 97, 106 (1976) (stating that pleadings by pro se litigants must be held to less stringent standards
21 than formal pleadings drafted by lawyers). 22 Respondents shall file a response to Petitioner’s
request by 5:00 p.m. on Thursday, 23 January 15, 2026.

Any opposition shall provide the Court with copies of all referenced/relevant 24 portions of
Petitioner’s A-File and any and all available records related to Petitioner’s allegations. 25 Pending
the Court’s ruling on this petition, Respondents shall not take any action to 26 transfer Petitioner
out of this District. See F.T.C. v. Dean Foods Co., 384 U.S. 597, 608 (1966) 27 (acknowledging
the Court’s “express authority under the All Writs Act to issue such temporary 28 1 injunctions as
may be necessary to protect its own jurisdiction”).

2 Based on the facts surrounding Petitioner’s detention, the Court provisionally authorizes 3
Petitioner to proceed in forma pauperis without prepayment of the filing fee in this action. See 28
4 U.S.C. § 1914. 5 In light of the complexity of the legal issues involved, the Court has
determined that the 6 interests of justice require the appointment of counsel for Petitioner.

See 18 U.S.C. § 7 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).
Within seven 8 days from the date of this order, the appointing authority for the Eastern District of
California 9 shall identify counsel and send counsel’s contact information to Michele Krueger,
Courtroom 10 Deputy for Chief Judge Troy Nunley, via email at mkrueger@caed.uscourts.gov,
who shall 11 update the docket to reflect counsel’s appointment.

If counsel is not a member of the Eastern District of California Criminal Justice Act (“CJA”) Panel, the Court hereby authorizes them to serve as CJA counsel for petitioner for the duration of the proceedings in this Court pursuant to Local Rule 180(b)(1). In accordance with the above, IT IS HEREBY ORDERED that: 1. Respondents shall file a response to Petitioner’s request by 5:00 p.m. on Thursday, January 14, 2026; 2.

In order to ensure this Court’s jurisdiction to resolve the pending § 2241 petition, Respondent shall not transfer Petitioner to another detention center outside of this judicial district, pending further order of the Court; 3. Petitioner is provisionally authorized to proceed in forma pauperis without prepayment of the filing fee in this action, subject to Petitioner filing an application to proceed in forma pauperis by February 10, 2026.

The Clerk of the Court is directed to serve Petitioner with an application to proceed in forma pauperis; 4. Within seven days from the date of this order, the appointing authority for the Eastern District of California shall identify counsel and send counsel’s contact information to Michele Krueger, Courtroom Deputy for Chief Judge Troy Nunley, who shall update the docket to reflect counsel’s appointment; 5.

The Clerk of the Court shall serve a copy of this order on the Federal Defender, Attention: Habeas Appointment, along with a copy of the § 2241 petition; 6. The Clerk of the Court shall serve a copy of this order together with a copy of Petitioner’s application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on the United States Attorney. IT IS SO ORDERED.

Date: January 13, 2026 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28