

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Raj Kumar v. Joshua Johnson, Field Office Director of Enforcement
and Removal Operations, Dallas Field Office, Immigration and
Customs Enforcement, et al.

Kumar · No. CIV-26-486-G · Decided March 19, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma directed respondents to answer or move against Raj Kumar’s 28 U.S.C. § 2241 habeas petition challenging his immigration detention. The order also required advance notice of any transfer or relocation, directed service of the petition and order on the United States Attorney, and instructed the Clerk not to issue summonses.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Charles B. Goodwin
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	March 19, 2026
DOCKET	CIV-26-486-G
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his detention by U.S. Immigration and Customs Enforcement. The court issued an initial procedural order directing respondents to answer or file a pre-answer motion.
PRECEDENTIAL VALUE	nonprecedential procedural order
PARTIES	Raj Kumar v. Joshua Johnson, Field Office Director of Enforcement and Removal Operations, Dallas Field Office, Immigration and Customs Enforcement, et al.

TOPICS

- federal habeas corpus
- immigration detention
- civil procedure
- immigration
- service of process

PRACTICE AREAS

QUESTIONS PRESENTED

1. What procedural response should respondents file to a § 2241 habeas petition, and within what time?
2. What notice must respondents provide regarding any removal, transfer, relocation, or other movement of petitioner?
3. Should the clerk issue summonses to respondents in this habeas proceeding?

HOLDINGS

1. Respondents must file an answer under Rule 5 of the Rules Governing Section 2254 Cases within fourteen days of the order, or alternatively may file a pre-answer motion; petitioner may respond within the deadlines specified by the order.
2. Respondents must provide at least seventy-two hours' written notice before removing, transferring, relocating, or otherwise moving petitioner, and must promptly identify the facility if they dispute that petitioner is held within the Western District of Oklahoma.
3. The clerk must not issue summonses in this habeas proceeding.

KEY QUOTATIONS

“Respondents shall file written notice at least seventy-two hours before any instance of removing, transferring, relocating, or otherwise moving Petitioner, regardless of whether the new location is within the territorial jurisdiction of the Western District of Oklahoma.” (Order ¶ 2(a))

“The Clerk of Court is further directed not to issue summonses.” (Order ¶ 4)

FACTUAL BACKGROUND

Petitioner Raj Kumar was detained by U.S. Immigration and Customs Enforcement and, when he filed the petition, was held at the Cimarron Correctional Facility in Cushing, Oklahoma. He alleged that he was confined within the territorial jurisdiction of the Western District of Oklahoma. The petition challenged his detention under 28 U.S.C. § 2241.

PROCEDURAL HISTORY

Raj Kumar filed a § 2241 habeas petition while detained at the Cimarron Correctional Facility in Cushing, Oklahoma. The district court ordered respondents to file an answer or pre-answer motion within fourteen days, established response deadlines for petitioner, required advance notice of any transfer or relocation, directed service of the petition and order on the United States Attorney, and instructed the clerk not to issue summonses.

DISPOSITION

other

CASES CITED

- Boutwell v. Keating, 399 F.3d 1203, 1210 n.2 (10th Cir. 2005)

OPINION

Kumar

PER CURIAM.

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RAJ KUMAR,)

) Petitioner,)) v.) Case No. CIV-26-486-G)

JOSHUA JOHNSON,)

Field Office Director of Enforcement and) Removal Operations, Dallas Field Office,)
Immigration and Customs Enforcement,) et al.,)) Respondents.)

ORDER

Petitioner Raj Kumar, appearing through counsel, filed a Petition for Writ of Habeas Corpus (“Petition,” Doc. No. 1) pursuant to 28 U.S.C. § 2241, challenging his detention by U.S. Immigration and Customs Enforcement. At the time the Petition was filed, Petitioner was in custody at the Cimarron Correctional Facility in Cushing, Oklahoma. Id. at 9. The undersigned has examined the Petition and ORDERS as follows:

1. Within fourteen (14) days of the date of this Order, Respondents shall file an answer in accordance with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts.¹ Alternatively, Respondents may file a pre-answer motion. a. If Respondents file an answer, Petitioner may file a reply within seven (7) days after the date the answer was filed. See R. 5(e), R. Governing § 2254 Cases in U.S. Dist. Cts. 1 The Court may apply the Rules governing 28 U.S.C. § 2254 cases to habeas petitions arising under 28 U.S.C. § 2241. See R. 1(b), R. Governing § 2254 Cases in U.S. Dist. Cts.; Boutwell v. Keating, 399 F.3d 1203, 1210 n.2 (10th Cir. 2005). b. If Respondents file a motion, Petitioner may file a response within ten (10) days after the date the motion was filed. See LCvR 7.1(g).
2. The Petition alleges that Petitioner is confined within the territorial jurisdiction of the Western District of Oklahoma. So that counsel may have knowledge of Petitioner’s whereabouts and maintain the ability to communicate with him: a. Respondents shall file written notice at least seventy-two hours before any instance of removing, transferring, relocating, or otherwise moving Petitioner, regardless of whether the new location is within the territorial jurisdiction of the Western District of Oklahoma. b. If Respondents contest that Petitioner is presently being held within the territorial jurisdiction of the Western District of Oklahoma, they shall file a written notice stating the name and location of the facility in which Petitioner is confined. Such notice shall be provided promptly after Respondents become aware of Petitioner’s

location.

3. In accordance with the agreement between the Clerk of Court and the United States Attorney for the Western District of Oklahoma, the Clerk of Court is directed to send copies of the Petition and this Order via email to the United States Attorney for the Western District of Oklahoma for acceptance on behalf of Respondents.

4. The Clerk of Court is further directed not to issue summonses. See R. 4, R. Governing § 2254 Cases in U.S. Dist. Cts. IT IS SO ORDERED this 19th day of March, 2026.

CHARLES B. GOODWIN

United States District Judge