

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Joao Alexandre Dos Reis Franco v. Craig Meyer, et al.

Dos Reis Franco v. Meyer · No. 25-cv-08998-JSC; 5:25-cv-09480-EKL · Decided November 18, 2025

SUMMARY

The parties stipulate to transfer a habeas petition from the United States District Court for the Northern District of California to the Eastern District of California based on the petitioner’s district of confinement. The proposed order grants the transfer and directs the Clerk of Court to transmit the case file.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	K. Lee
JURISDICTION	United States District Court for the Northern District of California
DECIDED	November 18, 2025
DOCKET	25-cv-08998-JSC; 5:25-cv-09480-EKL
DISPOSITION	other
PROCEDURAL POSTURE	The parties stipulated to transfer the habeas petition from the Northern District of California to the Eastern District of California, and the court entered the proposed transfer order.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Joao Alexandre Dos Reis Franco v. Craig Meyer, et al.

TOPICS

- federal habeas corpus
- venue
- subject matter jurisdiction
- civil procedure
- immigration detention

PRACTICE AREAS

- habeas corpus
- immigration detention
- federal civil procedure

QUESTIONS PRESENTED

- Whether jurisdiction over the habeas petition lay in the Eastern District of California rather than the Northern District of California.

2. Whether the case should be transferred to the Eastern District of California.

HOLDINGS

1. Jurisdiction over the petition lies in the Eastern District of California rather than the Northern District of California.
2. The matter must be transferred to the United States District Court for the Eastern District of California, and the Clerk must transfer the file.

KEY QUOTATIONS

“Pursuant to stipulation, and in the interest of justice, the Court ORDERS that this matter be TRANSFERRED to the United States District Court for the Eastern District of California.” (order at 1)

FACTUAL BACKGROUND

The petitioner filed a habeas petition while the matter was pending in the Northern District of California. The parties conferred regarding the petitioner's district of confinement and agreed that jurisdiction lay in the Eastern District of California rather than the Northern District. The court accepted the stipulation and ordered transfer.

PROCEDURAL HISTORY

After ordering supplemental briefing concerning the petitioner's district of confinement, the Northern District of California determined that jurisdiction lay in the Eastern District of California. Pursuant to the parties' stipulation, the court ordered the matter and file transferred to the Eastern District of California.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk of Court is directed to transfer the file to the United States District Court for the Eastern District of California.

CASES CITED

- Doe v. Garland, 109 F.4th 1188 (9th Cir. 2024)

OPINION

Meyer

PER CURIAM.

1 CRAIG H. MISSAKIAN (CABN 125202)

United States Attorney

2 PAMELA T. JOHANN (CABN 145558)

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN JOSE DIVISION

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12 JOAO ALEXANDRES DOS REIS FRANCO,) No. 25-cv-08998-JSC 5:25-cv-09480-EKL

) 13 Petitioner) STIPULATION AND [PROPOSED] ORDER

) TRANSFERRING CASE TO THE

14 v.

) EASTERN DISTRICT OF CALIFORNIA

15 CRAIG MEYER, et al.,)) 16 Respondents)) 17 18 19 Pursuant to the Court's Order for
Supplemental Briefing, Dkt. No. 11, the parties have met and 20 conferred regarding Petitioner's
district of confinement and hereby stipulate as follows: 21 1. Jurisdiction over this petition lies in
the Eastern District of California rather than the 22 Northern District of California. Doe v.
Garland, 109 F.4th 1188 (9th Cir. 2024); see Dkt. No. 12, 13. 23 2. Accordingly, the parties
respectfully request that the Court order the case transferred to 24 the Eastern District of California
and direct the Clerk of Court to transfer the file. 25 IT IS SO STIPULATED. 26 // 27 // 1 DATED:
November 18, 2025 Respectfully submitted,

2 CRAIG H. MISSAKIAN

United States Attorney 3 /s/ Pamela T. Johann

4 PAMELA T. JOHANN

Assistant United States Attorney 5 Attorneys for Respondents 6 7 8 DATED: November 18, 2025
GONDIM LAW CORP. 9 /s/ Marcelo Gondim

MARCELO GONDIM

10 Attorneys for Petitioner 11

ECF ATTESTATION

12 In accordance with Civil Local Rule 5-1(i)(3), I, Pamela T. Johann, attest that I have obtained
13 concurrence in the filing of this document from the other signatory listed here. 14 15 /s/ Pamela
T. Johann

16 PAMELA T. JOHANN

17 18 19 20 21 22 23 24 25 26 27

1 [PROPOSED] ORDER

2 Pursuant to stipulation, and in the interest of justice, the Court ORDERS that this matter be 3 ||
TRANSFERRED to the United States District Court for the Eastern District of California. The
Clerk of 4 || Court is directed to transfer the file. 5 } DATED: November 18, 2025

K. LEE

7 United States District Judge 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

STIPULATION AND [PROPOSED ORDER RE TRANSFER

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