

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Sagar Duhan v. Kristi Noem, et al.

Duhan · No. 2:26-cv-00019-MIS-JFR · Decided January 9, 2026

SUMMARY

The United States District Court for the District of New Mexico granted in part the federal respondents’ motion for an extension of time to respond to Sagar Duhan’s emergency motion for a preliminary injunction and habeas petition. The court extended the response deadline to three days after proper service, continued the preliminary-injunction hearing, and enjoined the respondents from transferring Duhan from the District of New Mexico while the action remained pending.

CASE DETAILS

|                       |                                                                                                                                                                                                  |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of New Mexico                                                                                                                                      |
| WRITING FOR THE COURT | Margaret Strickland                                                                                                                                                                              |
| JURISDICTION          | United States District Court for the District of New Mexico                                                                                                                                      |
| DECIDED               | January 9, 2026                                                                                                                                                                                  |
| DOCKET                | 2:26-cv-00019-MIS-JFR                                                                                                                                                                            |
| DISPOSITION           | other                                                                                                                                                                                            |
| PROCEDURAL POSTURE    | Petitioner sought emergency preliminary injunctive relief and a writ of habeas corpus. Federal respondents moved for additional time to respond, arguing that they had not been properly served. |
| PRECEDENTIAL VALUE    | unknown                                                                                                                                                                                          |

TOPICS

- service of process
- personal jurisdiction
- injunctions
- immigration
- civil procedure

PRACTICE AREAS

- immigration
- civil procedure
- habeas corpus
- injunctions

QUESTIONS PRESENTED

- Whether federal respondents were entitled to the requested extensions of time to respond to the Emergency Motion for Preliminary Injunction and Petition for Writ of Habeas Corpus.

2. Whether service was sufficient to permit the court to exercise personal jurisdiction over the federal respondents.
3. Whether petitioner should be protected from transfer out of the District of New Mexico while the action remained pending.

## HOLDINGS

1. A federal court may not exercise personal jurisdiction over a defendant or respondent absent proper service of a summons or a valid waiver of service; notice alone and a constitutionally sufficient relationship with the forum are insufficient.
2. Federal respondents were entitled to a limited extension, but not the requested extensions of one week and two weeks; their deadline to respond was extended to three days after proper service of the Emergency Motion and Petition.
3. Respondents were enjoined from transferring Sagar Duhan from the District of New Mexico while the proceedings remained pending.

## KEY QUOTATIONS

*“Thus, before a court may exercise personal jurisdiction over a defendant, there must be more than notice to the defendant and a constitutionally sufficient relationship between the defendant and the forum.”*

*“To preserve the status quo in the interim, Respondents are ENJOINED from transferring Petitioner Sagar Duhan from the District of New Mexico while these proceedings remain pending.”*

## FACTUAL BACKGROUND

Sagar Duhan was detained by federal immigration authorities at the Otero County Processing Center and sought emergency injunctive relief and habeas relief. The federal respondents asserted that petitioner had not properly served them because the service did not include a summons. The court observed that the case presented an issue under the Immigration and Nationality Act that had arisen in several hundred similar cases and that the government had repeatedly advanced the same arguments.

## PROCEDURAL HISTORY

Petitioner filed an Emergency Motion for Preliminary Injunction and a Petition for Writ of Habeas Corpus. Federal respondents moved for extensions of time, asserting that service did not include a summons as required by Federal Rule of Civil Procedure 4(i). The court granted only a limited extension after proper service, continued the preliminary-injunction hearing, and enjoined respondents from transferring petitioner during the pendency of the action.

## DISPOSITION

other

## CASES CITED

- Mississippi Publishing Corp. v. Murphree, 326 U.S. 438, 444-445 (1946)
- Omni Capital International, Ltd. v. Rudolf Wolff & Co., Ltd., 484 U.S. 97, 104 (1987)
- Okla. Radio Assocs. v. F.D.I.C., 969 F.2d 940, 943 (10th Cir. 1992)
- Limpin v. United States, Case No. 17-CV-1729-JLS (WVG), 2017 WL 4870382, at \*4 (S.D. Cal. Oct. 26, 2017)
- Intriago-Sedgwick v. Noem, No. 1:25-cv-01065-MIS-LF, 2025 WL 3688155 (D.N.M. Dec. 19, 2025), report and recommendation adopted, No. 1:25-cv-01065-MIS-LF, ECF No. 27 (D.N.M. Jan. 6, 2026)

---

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-district-of-new-mexico-united-states-district-court-for-the-dis/2026/sagar-duhan-v-kristi-noem-et-al-abvyh9nf>