

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION**

**Juan Carlos Garcia Gonzalez v. Warden Caroline Detention Facility,
et al.**

Garcia Gonzalez · No. 3:26CV38 (RCY) · Decided February 23, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia dismisses Juan Carlos Garcia Gonzalez’s § 2241 petition under Federal Rule of Civil Procedure 41(b) because counsel failed to provide a personally signed petition or establish that counsel qualified as a next friend. The court concludes that the petitioner’s transfers between detention facilities did not establish de facto inaccessibility and notes that he may file a renewed petition in the jurisdiction of his present detention.

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division JUAN CARLOS GARCIA GONZALEZ, Petitioner, v. Civil Action No.
3:26CV38 (RCY) WARDEN CAROLINE DETENTION FACILITY, et al., Respondents.
MEMORANDUM OPINION This matter is before the Court on Petitioner’s Response (ECF No.
8) to the Court’s second Memorandum Order directing that Petitioner either submit a personally
signed Petition or make a more particularized showing of “next friend” status.

See Order, ECF No. 7. In its Order, the Court held that Petitioner’s representations (through
counsel) remained insufficient to support a “next friend” finding, and once again ordered
Petitioner to submit a Petition complying with Rule 2 of the Rules Governing § 22541 Cases in
U.S. District Courts, reaffirming that failure to comply would result in dismissal of the action.

Id. at 2. In the present Response, counsel does not represent that they have been denied access to
Petitioner—only that counsel had sent documents to Petitioner and received nothing back. ECF
No. 8, ¶ 2. And while counsel now further represents that Petitioner has been transferred—first to
Texas, then to Louisiana—and that this has prevented counsel from obtaining a signed Petition in
compliance with the Court’s Order, such transfer alone does not constitute de facto inaccessibility,
for purposes of “next friend” standing.

Counsel has repeatedly failed to make the required showing 1 As explained in the Court’s prior
Order, Rule 1(b) of the Rules Governing § 2254 Cases permits this Court to apply the Rules
Governing § 2254 Cases to petitions under 28 U.S.C. § 2241. Rule 1(b), Rules Governing § 2254

Cases; see *Aguayo v. Harvey*, 476 F.3d 971, 976 (D.C. Cir. 2007). that Mr. Garcia is unable to litigate the Petition on his own behalf, see *Hamdi v. Rumsfeld*, 294 F.3d 598, 603 (4th Cir.

2002) (“The burden is on the next friend clearly to establish the propriety of his status and thereby justify the jurisdiction of the court.” (internal quotation marks omitted)), and while the Court is not unsympathetic to the circumstances of Mr. Garcia and those who care for him, the Court must nevertheless hold Petitioner and counsel to the same Rules and standards applicable to all § 2241 petitions brought before this Court.

Accordingly, the Court holds that Petitioner’s Response fails to excuse Petitioner’s non-compliance with the Court’s prior Orders, and so the Court is forced to dismiss the Petition. See Fed. R. Civ. P. 41(b). Petitioner may file a renewed § 2241 petition in the jurisdiction of his present detention, should he be so inclined. An appropriate Order will accompany this Memorandum Opinion.

Roderick C. Young Date: February 23, 2026 United States District Judge Richmond, Virginia