

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

Gilberto Santos Pineda v. Warden, Caroline Detention Facility

Pineda v. Warden · No. 3:26cv229 (DJN) · Decided April 13, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia denied without prejudice and dismissed an immigration-detention habeas petition under 28 U.S.C. § 2241 because the petitioner's wife did not establish next-friend standing and the petitioner had not signed the filings. The court also denied pending motions without prejudice and directed the Clerk to mail the petitioner a copy of the opinion and a standardized § 2241 petition form.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	David J. Novak
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	April 13, 2026
DOCKET	3:26cv229 (DJN)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention, filed by the petitioner's wife as a purported next friend.
STANDARD OF REVIEW	The purported next friend bears the burden of clearly establishing the propriety of next-friend status as a basis for the court's jurisdiction.
PRECEDENTIAL VALUE	unpublished
PARTIES	Gilberto Santos Pineda v. Warden, Caroline Detention Facility

TOPICS

- immigration detention
- federal habeas corpus
- standing
- pleadings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a detainee's wife may file a § 2241 habeas petition as a next friend without establishing that the detainee is unable to appear on his own behalf.
2. Whether the unsigned petition complied with Rule 2(c)(5) of the Rules Governing § 2254 Cases as applied to a § 2241 petition.

HOLDINGS

1. A purported next friend must clearly establish both why the real party in interest cannot appear on his own behalf and that the purported next friend is dedicated to the real party's best interests and has a significant relationship with that person. The petitioner's wife did not make the required showing merely by alleging that Petitioner was detained.
2. Because the purported next friend did not establish authorization or standing to sign and file the petition, the petition failed to comply with Rule 2(c)(5) and could not proceed.

KEY QUOTATIONS

“The burden is on the next friend clearly to establish the propriety of his status and thereby justify the jurisdiction of the court.” (at 2)

“The simple fact that Petitioner is detained is not sufficient to show that Petitioner cannot appear on his own behalf to prosecute the action.” (at 2)

FACTUAL BACKGROUND

Gilberto Santos Pineda was detained at the Caroline Detention Facility and sought to challenge his immigration detention through a § 2241 petition. His wife, Thania L. Gomez Milla, filed the petition as a purported next friend, but Pineda did not sign any submission. The petition did not establish that Pineda was inaccessible, mentally incompetent, disabled, or otherwise unable to prosecute the action himself.

PROCEDURAL HISTORY

Petitioner's wife filed a § 2241 petition on his behalf, but Petitioner did not sign the petition or other submissions. The court concluded that the wife had not established next-friend standing or shown that Petitioner was unable to appear on his own behalf. The petition and outstanding motions were denied without prejudice, and the action was dismissed without prejudice.

DISPOSITION

dismissed

CASES CITED

- Aguayo v. Harvey, 476 F.3d 971, 976 (D.C. Cir. 2007)

- Hamdi v. Rumsfeld, 294 F.3d 598, 603-04 (4th Cir. 2002)
- Whitmore v. Arkansas, 495 U.S. 149, 163-64 (1990)
- Francis v. Warden, FCC Coleman-USP, 246 F. App'x 621, 623 (11th Cir. 2007)

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