

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MICHIGAN**

Gurjinder Singh v. Kevin Raycraft et al.

Singh · No. 25-13673 · Decided December 9, 2025

OPINION

Singh

PER CURIAM.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GURJINDER SINGH,

Plaintiff, Case No. 25-13673 Honorable Shalina D. Kumar v. Magistrate Judge Anthony P. Patti
KEVIN RAYCRAFT et al., Defendants.

ORDER TRANSFERRING PETITION

FOR WRIT OF HABEAS CORPUS (ECF NO. 1)

Petitioner Gurjinder Singh (“Singh” or “Petitioner”) filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241, alleging that he is being unlawfully detained by the Respondents at the North Lake Processing Center in Baldwin, Michigan in violation of the Immigration and Nationality Act and the Due Process clause of the Fifth Amendment. See generally, ECF No. 1. For habeas actions seeking, at least in part, immediate release from physical confinement, “jurisdiction lies only in one district: the district of confinement.” *Trump v. J.G.G.*, 604 U.S. 670, 672 (2025) (quoting *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004)). Petitioner Singh is confined Page 1 of 3 at North Lake Correctional Facility in Lake County, Michigan. Lake County is within the Western District of Michigan. Courts consider the district-of-confinement-rule to be a question of venue. See *id.* (holding that venue is improper outside district of confinement); see also *Padilla*, 542 U.S. at 451 (Kennedy, J. concurring). Section 1406(a) of Title 28 of the United States Code provides two options for a court concluding that venue is improper: it shall dismiss the case for being filed in the wrong district, “or if it be in the interest of justice,” it may transfer the case to the district where venue is proper. 28 U.S.C. § 1406(a). Here, the interest of justice requires transfer rather than dismissal. Dismissal of the action would cause Petitioner to incur the additional expense of filing the same habeas petition in the Western District, and, more importantly, would delay the possibility of his release. See *Aguilar v. Dunbar*, 2025 WL 3281540, at *8, ___ F. Supp. 3d ___ (E.D. Mich. Nov. 13, 2025). Indeed, dismissal in lieu of transfer may constitute an abuse of discretion, where, as here, the circumstances known to the court demonstrate that a transfer would be in the interest of justice. *Id.* at *9. Accordingly, the Court will

transfer Singh's petition to the Western District of Michigan. Page 2 of 3 Accordingly, the Clerk of the Court is DIRECTED to TRANSFER Singh's petition for writ of habeas corpus (ECF No. 1) to the Western District of Michigan. IT IS SO ORDERED. s/ Shalina D. Kumar

SHALINA D. KUMAR

Dated: December 9, 2025 United States District Judge Page 3 of 3