

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

J.R.M.J. v. Minga Wofford, et al.

Wofford · No. 1:25-cv-1567-DC-SCR · Decided December 8, 2025

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 J.R.M.J., No. 1:25-cv-1567-DC-SCR 12 Petitioner, 13 v. ORDER 14
MINGA WOFFORD, et al., 15 Respondents. 16 17 Petitioner, an immigration detainee who is
proceeding through counsel, filed a petition for 18 a writ of habeas corpus pursuant to 28 U.S.C. §
2241. This matter was referred to the 19 undersigned on November 26, 2025.

ECF No. 10. 20 The court has conducted a preliminary review of the petition pursuant to Rule 4 of
the 21 Rules Governing Habeas Corpus Cases Under Section 2254.1 Because petitioner may be
entitled 22 to the requested relief if the claimed violation of constitutional rights is proved,
respondents will 23 be directed to show cause why the writ should not be granted by filing an
answer/return within 20 24 days from the date of this order.

See 28 U.S.C. § 2243. Petitioner may file a reply/traverse to the 25 answer/return within 14 days
after being served a copy of it. 26 27 1 Rule 1(b) of the Rules Governing Habeas Corpus Cases
Under Section 2254 allows a district court to apply any or all of the rules to other types of habeas
corpus petitions including § 2241 28 petitions. 1 In accordance with the above, IT IS HEREBY
ORDERED that: 2 1.

Respondents are directed to file an answer/return within 20 days from the date of this 3 order. If
an answer/return is filed, respondents shall include with the answer/return any and all 4 transcripts
or other documents relevant to the determination of the issues presented in the 5 application. 6 2.
Petitioner's reply/traverse, if any, is due within 14 days after being served a copy of 7
respondent's answer/return.

8 3. Among other issues, the parties should address whether Judge Coggins' determination 9 in the
order denying petitioner's motion for a temporary restraining order (ECF No. 10 at 10-11) 10 that
when a noncitizen is re-detained under either 8 C.F.R. § 241.4 or 8 C.F.R. § 241.13 the Due 11
Process Clause does not impose a pre-deprivation hearing requirement is "law of the case" 12
precluding the undersigned from finding otherwise.

See *Ctr. for Biological Diversity v. Salazar*, 13 706 F.3d 1085, 1090 (9th Cir. 2013) ("Generally,
'decisions at the preliminary injunction phase 14 do not constitute law of the case' because 'a
preliminary injunction decision is just that: 15 preliminary.'") (quoting *Ranchers Cattlemen*

Action Legal Fund United Stockgrowers of America 16 v. U.S. Dep’t of Agr., 499 F.3d 1108, 1114 (9th Cir.

2007)); but see *Ranchers Cattlemen*, 499 F.3d at 1114 (“A fully considered appellate ruling on an issue of law made on a preliminary injunction appeal... become[s] the law of the case for further proceedings in the trial court on remand and in any subsequent appeal”). 4. Absent a further order of the court, the petition will be taken under submission after the filing of the reply/traverse.

5. Petitioner’s motion to proceed under a pseudonym (ECF No. 3) is GRANTED. 6. In order to ensure this court’s jurisdiction to resolve the pending § 2241 petition, respondent shall not transfer petitioner to another detention center outside of this judicial district, pending further order of the court. See 28 U.S.C. § 1651(a) (establishing the All Writs Act which empowers the federal courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions....”); see also *F.T.C. v. Dean Foods Co.*, 384 U.S. 597, 604 (1966) (emphasizing that federal courts have the power to “to preserve the court’s jurisdiction or maintain the status quo by injunction pending review of an agency’s action”).

3 | DATED: December 8, 2025 md 6 SEAN C. RIORDAN UNITED STATES MAGISTRATE JUDGE 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28