

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Jorge Luis Manuel Sebastian; Evaristo Jose Quirino; and Yuxing Gao v. Jeremy Casey, et al.

Case No. 26-cv-00306-BAS-AHG · No. 26-cv-00306-BAS-AHG · Decided January 20, 2026

SUMMARY

The United States District Court for the Southern District of California declined to summarily dismiss Petitioners’ 28 U.S.C. § 2241 habeas petition challenging their immigration detention. The court ordered the Government to respond by January 30, 2026, permitted Petitioners to reply by February 6, 2026, and directed the Clerk to serve the petition and order on the U.S. Attorney’s Office.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Cynthia Bashant
JURISDICTION	United States District Court for the Southern District of California
DECIDED	January 20, 2026
DOCKET	26-cv-00306-BAS-AHG
DISPOSITION	other
PROCEDURAL POSTURE	Petitioners filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging their immigration detention. The court declined to summarily dismiss the petition and ordered the Government to respond.
STANDARD OF REVIEW	At the initial screening stage, summary dismissal is appropriate only when the petition's allegations are vague or conclusory, palpably incredible, or patently frivolous or false.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	Jorge Luis Manuel Sebastian, Evaristo Jose Quirino, Yuxing Gao v. Jeremy Casey, et al.

TOPICS

- federal habeas corpus
- immigration detention
- removal proceedings
- immigration
- civil procedure

PRACTICE AREAS

immigration

federal habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether the § 2241 petition should be summarily dismissed at the initial review stage.
2. Whether the Government should be required to respond to the petition and provide documents relevant to the issues raised.

HOLDINGS

1. Summary dismissal was unwarranted at that time because the petition's allegations were not shown to be vague or conclusory, palpably incredible, or patently frivolous or false.
2. The Government must file a response addressing the petition's allegations and including documents relevant to determining the issues raised.

KEY QUOTATIONS

“Summary dismissal is appropriate only where the allegations in the petition are vague or conclusory, palpably incredible, or patently frivolous or false.” (1)

FACTUAL BACKGROUND

Petitioners Jorge Luis Manuel Sebastian, Evaristo Jose Quirino, and Yuxing Gao alleged that they were being detained by Immigration and Customs Enforcement in violation of immigration laws and the Central District of California's decision in *Maldonado Bautista v. Noem*. They filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241.

PROCEDURAL HISTORY

On January 18, 2026, Petitioners filed a § 2241 habeas petition alleging that Immigration and Customs Enforcement was detaining them in violation of immigration laws and the Central District of California's decision in *Maldonado Bautista v. Noem*. After reviewing the petition, the court found summary dismissal unwarranted and ordered the Government to file a response, with Petitioners permitted to reply.

DISPOSITION

other

CASES CITED

- *Maldonado Bautista v. Noem*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3678485 (C.D. Cal. Dec. 18, 2025)
- *Kourteva v. INS*, 151 F. Supp. 2d 1126, 1128 (N.D. Cal. 2001)