

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Naji Sirhan Abdullah v. Department of Homeland Security

No. 5:25-cv-01865-SVW-PD (C.D. Cal. Sept. 25, 2025) · No. 5:25-cv-01865-SVW-PD · Decided September 25, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause concerning Naji Sirhan Abdullah’s 28 U.S.C. § 2241 habeas petition challenging his immigration detention. The court found that the petition did not provide supporting facts for the asserted constitutional and other grounds and ordered Petitioner to file either a response or a completed First Amended Petition by October 15, 2025, warning that failure to do so could result in dismissal.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Patricia Donahue, U.S. Magistrate Judge
JURISDICTION	United States District Court for the Central District of California
DECIDED	September 25, 2025
DOCKET	5:25-cv-01865-SVW-PD
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a 28 U.S.C. § 2241 petition challenging his immigration detention and seeking immediate release. The magistrate judge issued an order to show cause why the petition should not be dismissed and allowed petitioner to file a response or a completed amended petition.
STANDARD OF REVIEW	Under Habeas Corpus Rule 4, a court may summarily dismiss a habeas petition before the respondent answers if it plainly appears from the face of the petition that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	unpublished
PARTIES	Naji Sirhan Abdullah v. Department of Homeland Security

TOPICS

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

PRACTICE AREAS

immigration law

federal habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether the § 2241 petition was subject to the screening requirements applicable to habeas petitions under § 2254.
2. Whether the petition should be summarily dismissed under Habeas Corpus Rule 4 because it failed to allege facts supporting the asserted grounds for relief.
3. Whether petitioner should be given an opportunity to respond or amend before the court made a final dismissal determination.

HOLDINGS

1. A § 2241 petition brought by a federal prisoner is subject to the same screening requirements applicable to petitions under § 2254.
2. A district court may summarily dismiss a § 2241 petition before the respondent files an answer if it plainly appears from the face of the petition that the petitioner is not entitled to relief.
3. Because the court had not made a final determination that dismissal was warranted, petitioner was given an opportunity to explain why the petition should not be dismissed or to file a fully completed amended petition.

KEY QUOTATIONS

“[i]f it plainly appears from the face of the petition ... that the petitioner is not entitled to relief.” (at 2)

FACTUAL BACKGROUND

Petitioner was taken into immigration custody on July 8, 2025, and was confined at Adelanto ICE Processing Center-West when he filed the petition. He alleged detention on an immigration charge and challenged his confinement under the Fourth, Fifth, and Sixth Amendments, as well as on the ground that he could not be deported because of political reasons. The petition supplied no supporting facts for those grounds.

PROCEDURAL HISTORY

On July 17, 2025, petitioner filed a § 2241 habeas petition while confined at Adelanto ICE Processing Center-West. The court found that the petition did not allege supporting facts for the asserted Fourth, Fifth, and Sixth Amendment grounds or the claim that petitioner could not be deported for political reasons. Rather than dismiss the petition immediately, the court ordered petitioner to respond by October 15, 2025, or file a fully completed First Amended Petition, warning that failure to comply could lead to a recommendation of dismissal under Federal Rule of Civil Procedure 41(b).

DISPOSITION

other

CASES CITED

- Mayle v. Felix, 545 U.S. 644, 656 (2005)

OPINION

Naji Sirhan Abdullah v. Department of Homeland Security

PER CURIAM.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Naji Sirhan Abdullah v. Department of Homeland Security Case No. 5:25-cv-01865-SVW-PD

Date: September 25, 2025 Title, Present: The Honorable: Patricia Donahue, U.S. Magistrate Judge Isabel Verduzco N/A Deputy Clerk Court Reporter / Recorder Attorneys Present for Petitioner: Attorneys Present for Respondent:

N/A N/A

Proceedings (In Chambers): Order to Show Cause Why Petitioner's 28 U.S.C. § 2241 Petition for a Writ of Habeas Corpus Should Not Be Dismissed On July 17, 2025, Petitioner Naji Sirhan Abdullah ("Petitioner") filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. Dkt. No. 1. At the time of filing the Petition, Petitioner was confined at Adelanto ICE Processing Center-West in Adelanto, California. Id. at 1. Petitioner alleges that he is being detained on an immigration charge. Id. at 1-2. Petitioner left blank his response to questions regarding information pertaining to earlier challenges of the decision or action he is appealing. Id. at 2-4. Petitioner alleges that he was taken into immigration custody on July 8, 2025. Id. at 4. Petitioner challenges his detention on the following grounds: (1) Fourth Amendment; (2) Fifth Amendment; (3) Sixth Amendment; and (4) "Fact of Confinement ... Petitioner can't be deported because of political." Id. at 6-7. Petitioner seeks immediate release from detention. Id. at 7.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Naji Sirhan Abdullah v. Department of Homeland Security Case No. 5:25-cv-01865-SVW-PD

Date: September 25, 2025 Title. Discussion, Habeas petitions brought by federal prisoners under 28 U.S.C. § 2241 are subject to the same screening requirements that apply to habeas petitions brought under 28 U.S.C. § 2254. Rules Governing Section 2254 Cases in the United States District Courts, 28 U.S.C. foll. § 2254 ("Habeas Corpus Rules"), Habeas Corpus Rule 1(b) (providing that district courts may apply the Habeas Corpus Rules to habeas petitions that are not brought under § 2254). Accordingly, a district court may summarily dismiss a § 2241 petition before the

respondent files an answer, “[i]f it plainly appears from the face of the petition ... that the petitioner is not entitled to relief.” Habeas Corpus Rule 4; *Mayle v. Felix*, 545 U.S. 644, 656 (2005). The Petition as currently pled does not state any facts in support of the four grounds for relief. Petitioner merely lists the Fourth, Fifth, and Sixth Amendments as grounds without alleging any supporting facts. *Id.* at 6. Petitioner further alleges in ground four that he cannot be “deported because of political” but provides no facts in support of this claim. *Id.* at 7. II. Order The Petition appears subject to dismissal for the reasons stated above. The Court will not make a final determination regarding whether the Petition should be dismissed, however, without giving Petitioner an opportunity to address the issues stated above. Thus, the Court ORDERS Petitioner to respond no later than October 15, 2025, by choosing one of the following options:

1. File a written response explaining why the Petition should not be dismissed. or

2. File a First Amended Petition that is completely filled out.
Petitioner should include information responsive to all of the

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Naji Sirhan Abdullah v. Department of Homeland Security Case No. 5:25-cv-01865-SVW-PD
Date: September 25, 2025 Title questions listed on the habeas form and provide facts in support of each of his grounds for relief. Failure to file a timely response to this Order as directed above by October 15, 2025, will result in a recommendation to the District Judge that this case be dismissed for failure to prosecute and obey Court orders pursuant to Federal Rules of Civil Procedure 41(b). The Deputy Court Clerk is directed to send Petitioner a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 form. IT IS SO ORDERED. Attachments: CV-27 form--Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 Initials of Preparer : iv