

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Gnadjı Lazare v. Warden, Otero County Processing Center, Mary De Anda-Ybarra, Todd Lyons, Current Secretary, U.S. Department of Homeland Security, and Pamela Bondi

Lazare · No. Civ. No. 26-0808-KG-KK · Decided March 18, 2026

SUMMARY

The United States District Court for the District of New Mexico orders the respondents to answer Gnadjı Lazare’s 28 U.S.C. § 2241 petition challenging his continued immigration detention. The court grants Lazare’s motion to proceed in forma pauperis and directs the Clerk’s Office to add the identified respondents to the case.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kenneth J. Gonzales
JURISDICTION	United States District Court for the District of New Mexico
DECIDED	March 18, 2026
DOCKET	Civ. No. 26-0808-KG-KK
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his continued immigration detention. The court ordered Respondents to answer, granted Petitioner's motion to proceed in forma pauperis, and directed the Clerk to update the case docket.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Gnadjı Lazare v. Warden, Otero County Processing Center, Mary De Anda-Ybarra, Todd Lyons, Current Secretary, U.S. Department of Homeland Security, Pamela Bondi

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should require the government to answer a § 2241 petition challenging continued immigration detention when the petition indicates that the process received by the detainee is unclear.
2. Whether Petitioner should be permitted to proceed in forma pauperis.

HOLDINGS

1. The court ordered the United States Attorney's Office to answer the petition within ten business days because the petition challenged continued immigration detention and it was unclear what process Petitioner had received.
2. The court granted Petitioner's motion to proceed in forma pauperis after finding that the motion reflected his inability to prepay the filing fee.
3. The court added the identified officials and entities as Respondents and directed the Clerk's Office to update CM/ECF accordingly.

FACTUAL BACKGROUND

Gnadji Lazare is an immigration detainee at the Otero County Processing Center and is proceeding without counsel. He challenges his continued immigration detention, and the court found it unclear what process he had received. The United States Attorney's Office was therefore ordered to respond to the petition.

PROCEDURAL HISTORY

The matter came before the District of New Mexico on Petitioner's § 2241 habeas petition. Because it was unclear what process Petitioner had received concerning his continued immigration detention, the court required an answer within ten business days and allowed an optional reply thereafter.

DISPOSITION

other

CASES CITED

- Torres-Torres v. Miller, 2020 WL 4430519 (D.N.M. July 31, 2020)
- Lowmaster v. Dir., Bureau of Prisons, 2024 WL 5135970, at *1 (D. Kan. Dec. 17, 2024)
- Danderson v. Page, 2024 WL 3913051, at *2 (E.D. Okla. Aug. 20, 2024)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO
GNADJI LAZARE, Petitioner, v. Civ. No. 26-0808-KG-KK WARDEN, Otero County Processing Center, MARY DE ANDA-YBARRA, Field Office Director of Enforcement and Removal

Operations, El Paso Field Office, Immigration and Customs Enforcement; TODD LYONS, Acting Director Immigration and Customs Enforcement; CURRENT SECRETARY, U.S. Department Of Homeland Security; AND PAMELA BONDI, U.S. Attorney General, Respondents,¹ ORDER TO ANSWER This matter is before the Court on the Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241.

(Doc. 1) (Petition). Petitioner is an immigration detainee at the Otero County Processing Center and is proceeding pro se. He challenges his continued immigration detention, and it is unclear what process he has received.

The Court will require an answer to the Petition. The Clerk's Office has electronically served Respondents by Notice of Electronic Filing (NEF) using the Case Management and Electronic Case Filing (CM/ECF) system. (Doc. 3).

The Court will also grant Petitioner's Motion to Proceed In Forma Pauperis (Doc. 2), which reflects he cannot prepay the filing fee. 1 The Court will add the above-mentioned parties as Respondents. See *Torres-Torres v. Miller*, 2020 WL 4430519 (D.N.M. July 31, 2020) (discussing the respondents in an immigration habeas case); *Lowmaster v. Dir., Bureau of Prisons*, 2024 WL 5135970, at *1 (D.

Kan. Dec. 17, 2024) ("the Court notes that it routinely substitutes the" proper parties as "respondent in habeas cases"); *Danderson v. Page*, 2024 WL 3913051, at *2 (E.D. Okla. Aug. 20, 2024) (substituting the proper party respondent in a habeas case). IT IS ORDERED that: 1.

The United States Attorney's Office must answer the Petition within ten (10) business days of entry of this Order. 2. If Petitioner wishes to file an optional reply, he must do so within seven (7) business days after the response is filed. 3.

The Motion to Proceed In Forma Pauperis (Doc. 2) is granted. 4. The Clerk's Office shall update CM/ECF to include the Respondents added by this Order. /s/Kenneth J. Gonzales_____ CHIEF UNITED STATES DISTRICT JUDGE • Please note that this document has been electronically filed.

To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the Court's PACER public access system.