

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Valentina Timaran Restrepo v. Warden, Diamondback Correctional
Facility, et al.

Timaran Restrepo v. Warden · No. CIV-26-661-G · Decided April 1, 2026

SUMMARY

This order addresses a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the petitioner’s immigration detention at the Diamondback Correctional Facility in Oklahoma. The court directs respondents to answer or file a pre-answer motion, requires advance notice of any transfer, and directs the clerk regarding service and summonses.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Charles B. Goodwin
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	April 1, 2026
DOCKET	CIV-26-661-G
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, proceeding pro se, filed an initial petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging her detention by U.S. Immigration and Customs Enforcement. The district court issued an order directing respondents to answer or file a pre-answer motion and establishing related filing and transfer-notice procedures.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Valentina Timaran Restrepo v. Warden, Diamondback Correctional Facility, et al.

TOPICS

- federal habeas corpus
- immigration detention
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Immigration detention
- Federal civil procedure

QUESTIONS PRESENTED

1. What procedural response should respondents make to the § 2241 habeas petition?
2. What procedures should govern any transfer or relocation of petitioner while the habeas case is pending?

HOLDINGS

1. The court ordered respondents to file an answer under Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, or alternatively to file a pre-answer motion, and established deadlines for petitioner's reply or response.
2. Because the petition alleged that petitioner was confined within the Western District of Oklahoma, respondents were required to provide written notice at least seventy-two hours before removing, transferring, relocating, or otherwise moving petitioner, and to identify her facility promptly if they disputed that she was within the district.

FACTUAL BACKGROUND

Petitioner is detained by U.S. Immigration and Customs Enforcement and is alleged to be confined at Diamondback Correctional Facility in Watonga, Oklahoma. She filed a pro se petition under 28 U.S.C. § 2241 challenging that detention. The petition alleged that she was confined within the territorial jurisdiction of the Western District of Oklahoma.

PROCEDURAL HISTORY

Valentina Timaran Restrepo filed a § 2241 petition alleging that she was detained at Diamondback Correctional Facility in Watonga, Oklahoma. Upon examining the petition, the district court ordered respondents to file an answer or pre-answer motion, permitted corresponding replies or responses, required advance notice of any transfer or relocation, and directed the clerk not to issue summonses.

DISPOSITION

other

CASES CITED

- Boutwell v. Keating, 399 F.3d 1203, 1210 n.2 (10th Cir. 2005)

OPINION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA
VALENTINA TIMARAN RESTREPO,)) Petitioner,)) v.) Case No. CIV-26-661-G) WARDEN,
Diamondback) Correctional Facility, et al.,)) Respondents.) ORDER Petitioner Valentina
Timaran Restrepo, appearing pro se, filed a Petition for Writ of Habeas Corpus (“Petition,” Doc.
No. 1) pursuant to 28 U.S.C. § 2241, challenging her detention by U.S. Immigration and Customs
Enforcement.

Petitioner is in custody at the Diamondback Correctional Facility in Watonga, Oklahoma. Id. at 3. The undersigned has examined the Petition and ORDERS as follows: 1. Within fourteen (14) days of the date of this Order, Respondents shall file an answer in accordance with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts.¹ Alternatively, Respondents may file a pre- answer motion. a. If Respondents file an answer, Petitioner may file a reply within seven (7) days after the date the answer was filed.

See R. 5(e), R. Governing § 2254 Cases in U.S. Dist. Cts. b. If Respondents file a motion, Petitioner may file a response within ten (10) days after the date the motion was filed. See LCvR 7.1(g). ¹ The Court may apply the Rules governing 28 U.S.C. § 2254 cases to habeas petitions arising under 28 U.S.C. § 2241. See R. 1(b), R. Governing § 2254 Cases in U.S. Dist.

Cts.; Boutwell v. Keating, 399 F.3d 1203, 1210 n.2 (10th Cir. 2005). 2. The Petition alleges that Petitioner is confined within the territorial jurisdiction of the Western District of Oklahoma. a. Respondents shall file written notice at least seventy-two hours before any instance of removing, transferring, relocating, or otherwise moving Petitioner, regardless of whether the new location is within the territorial jurisdiction of the Western District of Oklahoma. b. If Respondents contest that Petitioner is presently being held within the territorial jurisdiction of the Western District of Oklahoma, they shall file a written notice stating the name and location of the facility in which Petitioner is confined.

Such notice shall be provided promptly after Respondents become aware of Petitioner's location. 3. In accordance with the agreement between the Clerk of Court and the United States Attorney for the Western District of Oklahoma, the Clerk of Court is directed to send copies of each filing entered in this matter as of the date of this Order via email to the United States Attorney for the Western District of Oklahoma for acceptance on behalf of Respondents.

4. The Clerk of Court is further directed not to issue summonses. See R. 4, R. Governing § 2254 Cases in U.S. Dist. Cts. IT IS SO ORDERED this 1st day of April, 2026. CHARLES B. GOODWIN United States District Judge