

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Orencio Almazo Barragan v. Todd M. Lyons, et al.

Barragan · No. 26 Civ. 311 (JHR) · Decided January 14, 2026

SUMMARY

The United States District Court for the Southern District of New York transfers Orencio Almazo Barragan’s 28 U.S.C. § 2241 habeas petition to the District of New Mexico because he is detained there and the court lacks jurisdiction over his custodian. The court waives the applicable waiting period and directs the Clerk of Court to transfer the action, closing the case in the Southern District of New York.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Jennifer H. Rearden
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	January 14, 2026
DOCKET	26 Civ. 311 (JHR)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his detention and seeking immediate release. The Southern District of New York determined that jurisdiction lay in the federal district where petitioner was confined and transferred the action to the District of New Mexico.
PARTIES	Orencio Almazo Barragan v. Todd M. Lyons, et al.

QUESTIONS PRESENTED

- Whether the Southern District of New York had jurisdiction over a § 2241 petition challenging petitioner's present physical confinement when petitioner was detained in New Mexico.
- Whether the petition should be transferred to the District of New Mexico.

HOLDINGS

- Jurisdiction generally lies exclusively in the federal district where the petitioner is confined because the court must have jurisdiction over the petitioner's immediate custodian.

2. The petition should be transferred to the United States District Court for the District of New Mexico, where petitioner was confined.

KEY QUOTATIONS

“The writ of habeas corpus does not act upon the prisoner who seeks relief,” (at 1)

FACTUAL BACKGROUND

Orencio Almazo Barragan was detained at the Otero County Processing Center in Chaparral, New Mexico. He filed a § 2241 petition seeking the immediate release of an individual in custody, and the court determined that the facility was located in the District of New Mexico.

PROCEDURAL HISTORY

On January 13, 2026, Barragan filed a § 2241 habeas petition in the Southern District of New York. Because he was detained at the Otero County Processing Center in New Mexico, the court transferred the petition to the District of New Mexico and closed the case in the Southern District of New York.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk of Court was directed to transfer the action immediately to the United States District Court for the District of New Mexico. The Southern District of New York case was closed upon transfer.

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ORENCIO ALMAZO BARRAGAN, Petitioner, 26 Civ. 311 (JHR) -against- ORDER TODD M. LYONS, et al., Respondent. JENNIFER H. REARDEN, District Judge: On January 13, 2026, Petitioner Orencio Almazo Barragan filed this petition for a writ of habeas corpus under 28 U.S.C. § 2241. Petitioner is currently detained at the Otero County Processing Center in Chaparral, New Mexico.¹ In order to entertain a habeas corpus petition under 28 U.S.C. § 2241, a court must have jurisdiction over the custodian.

See *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 494-95 (1973) (“The writ of habeas corpus does not act upon the prisoner who seeks relief, but upon the person who holds him in what is alleged to be unlawful custody.”).

Thus, the jurisdiction of a habeas petition challenging a petitioner’s physical confinement generally lies in the district of his confinement. *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004) (“The plain language of the habeas statute thus confirms the general rule that for core habeas

petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement.”).

The Otero County Processing Center, where Petitioner is detained, is in the District of New Mexico. 28 U.S.C. § 110. Accordingly, the Court transfers this petition to the 1 Petitioner’s whereabouts were determined from the online ICE detainee locator, www.locator.ice.gov. United States District Court for the District of New Mexico. See 28 U.S.C. §§ 1404(a), 14066(a).

Because this petition seeks the immediate release of an individual in custody, the Court waives Local Civil Rule 83.1’s seven-day waiting period. The Clerk of Court shall therefore transfer this action upon the filing of this Order, which closes the case in the Southern District of New York. SO ORDERED. Dated: January 14, 2026 New York, New York nited States District Judge