

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, ALEXANDRIA DIVISION**

Belal Mohtashami v. Shay Rice et al.

Mohtashami · No. 1:26-CV-00618 · Decided May 6, 2026

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA ALEXANDRIA DIVISION BELAL MOHTASHAMI #A244-550-893 CASE NO. 1:26-CV-00618 SEC P VERSUS JUDGE JAMES D. CAIN, JR. SHAY RICE ET AL MAGISTRATE JUDGE DAVID J. AYO MEMORANDUM ORDER Before the Court is a PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241 [Doc. 1] filed by pro se Petitioner Belal Mohtashami (“Mohtashami”), an immigration detainee at the Central Louisiana ICE Processing Center in Jena, Louisiana.

Mohtashami seeks his release from post-removal order detention. A court may order a respondent to file an answer, motion, or other response, in its discretion. See generally 28 U.S.C. § 2243; Rule 4 of the Rules Governing § 2254 Cases; *Danforth v. Minnesota*, 552 U.S. 264, 278 (2008); *Maniar v. Warden Pine Prairie Corr. Ctr.*, 6:18-CV-00544, 2018 WL 4869383, at *1 (W.D.

La. 2018) (Hanna, M.J.).¹ And this Court has determined that a 21 day briefing schedule with seven days to reply is reasonable and appropriate in similar cases. To determine whether Mohtashami is entitled to relief, THE CLERK IS DIRECTED to serve a summons, a copy of the PETITION [Doc. 1], and a copy of this ORDER, by certified mail, on: (1) the United States through the United States Attorney for the Western District 1 Under Rule 1(b), the Rules Governing § 2254 Cases also apply to § 2241 habeas cases.

See *Hickey v. Adler*, 2008 WL 835764, *2 (E.D. Cal. 2008); *Castillo v. Pratt*, 162 F. Supp. 2d 575, 577 (N.D. Tex. 2001); *Wyant v. Edwards*, 952 F. Supp. 348 (S.D. W.Va. 1997); see also *Taylor v. Gusman*, 20-CV-449, 2020 WL 1848073, at *1 (E.D. La. Apr. 13, 2020) (“District courts are therefore free to apply these rules to habeas petitions brought under 28 U.S.C. § 2241.”). of Louisiana; (2) the United States Attorney General; (3) DHS/ICE through its Office of General Counsel; and by regular mail on (4) the Warden where Mohtashami is detained.

IT IS ORDERED that a response be filed within 21 days after service on the United States Attorney for the Western District of Louisiana, with summary judgment evidence indicating whether Petitioner’s order of removal is final, whether there is a significant likelihood of removal in the reasonably foreseeable future, and whether Petitioner’s detention is otherwise lawful.

This evidence shall include information regarding efforts made to obtain travel documents from any country. IT IS FURTHER ORDERED that Petitioner shall have seven days to reply. After the record is complete and delays have run, the Court will determine if genuine issues of material fact exist, which preclude summary judgment and necessitate an evidentiary hearing.

If no hearing is necessary, a Report and Recommendation will be issued without further notice. THUS DONE in Chambers on this 6th day of May, 2026. UNITED STATES MAGISTRATE JUDGE