

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

German Vazquez v. Derek Sanders

No. 3:25-cv-06131-BJR-DWC, United States District Court for the Western District of Washington (January 12, 2026)

SUMMARY

The United States District Court for the Western District of Washington directs pretrial detainee German Vazquez to show cause or amend his 28 U.S.C. § 2241 habeas petition. The court concludes that Vazquez has not exhausted available Washington state court remedies and has not demonstrated special circumstances warranting federal intervention before trial. Vazquez must respond and file an amended petition by February 11, 2026, or dismissal will be recommended.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	David W. Christel
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	January 12, 2026
DOCKET	3:25-cv-06131-BJR-DWC
DISPOSITION	other
PROCEDURAL POSTURE	A pretrial detainee filed a federal habeas petition under 28 U.S.C. § 2241 challenging excessive bail and the denial of release on personal recognizance. The court issued an order to show cause or amend, directing petitioner to address exhaustion and file an amended petition.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	German Vazquez v. Derek Sanders

TOPICS

- federal habeas corpus
- bail
- comity
- criminal procedure
- post-conviction relief

PRACTICE AREAS

- Federal habeas corpus
- Criminal procedure
- Bail
- Post-conviction relief

QUESTIONS PRESENTED

1. Whether a federal court may entertain a pretrial detainee's § 2241 habeas claims before the petitioner exhausts available state judicial remedies.
2. Whether the petitioner demonstrated special circumstances warranting federal intervention before completion of the state criminal proceedings.
3. Whether petitioner should be required to show cause for failure to exhaust and file an amended petition.

HOLDINGS

1. Although 28 U.S.C. § 2241(c)(3) does not expressly impose an exhaustion requirement, exhaustion is required as a matter of comity unless special circumstances justify federal intervention before the state criminal trial.
2. Petitioner must show cause why the action should not be dismissed for failure to exhaust state remedies and must file an amended petition if he intends to continue the action.

KEY QUOTATIONS

“[A] state prisoner must normally exhaust available state judicial remedies before a federal court will entertain his petition for habeas corpus.” (at 1)

“[S]tate prisoners must give the state courts one full opportunity to resolve any constitutional issues by invoking one complete round of the State’s established appellate review.” (at 1)

FACTUAL BACKGROUND

German Vazquez was a pretrial detainee housed at the Thurston County Corrections Facility. He alleged that he was being held on excessive bail and had not been released on personal recognizance. He filed a federal habeas petition under 28 U.S.C. § 2241 while state criminal proceedings were ongoing, but did not demonstrate that he had presented his federal claims to the Washington state trial and appellate courts.

PROCEDURAL HISTORY

On December 15, 2025, German Vazquez filed a proposed § 2241 petition while detained at the Thurston County Corrections Facility. The district court referred the action to Magistrate Judge David W. Christel, who determined that the claims appeared unexhausted and ordered petitioner to respond or file an amended pleading by February 11, 2026. The order states that failure to adequately respond would result in a recommendation of dismissal.

DISPOSITION

other

CASES CITED

- Picard v. Connor, 404 U.S. 270, 275 (1971)

- Vasquez v. Hillery, 474 U.S. 254, 257 (1986)
- O'Sullivan v. Boerckel, 526 U.S. 838, 845 (1999)
- Carden v. Montana, 626 F.2d 82, 83-84 (9th Cir. 1980)
- Younger v. Harris, 401 U.S. 37 (1971)

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF
WASHINGTON AT TACOMA 9 10 GERMAN VAZQUEZ, CASE NO. 3:25-cv-06131-BJR-
DWC 11 Petitioner, v. ORDER TO SHOW CAUSE OR 12 AMEND DEREK SANDERS, 13
Respondent. 14 15 The District Court has referred this action to United States Magistrate Judge
David W. 16 Christel.

On December 15, 2025, Petitioner German Vazquez, a pre-trial detainee housed at 17 Thurston
County Corrections Facility, filed a proposed federal habeas Petition (“Petition”) under 18 28
U.S.C. § 2241. Dkt. 1-2. The Court has reviewed the Petition and concludes it is unexhausted. 19
Therefore, the Court directs Petitioner to file a response to this Order or an amended pleading by
20 February 11, 2026.

21 I. Background 22 In the Petition, Petitioner contends that he is being held on excessive bail and
has not 23 been released on personal recognizance. Dkt. 1-2 at 6-7. 24 1 II. Discussion 2 “[A] state
prisoner must normally exhaust available state judicial remedies before a 3 federal court will
entertain his petition for habeas corpus.” Picard v. Connor, 404 U.S. 270, 275 4 (1971).

Petitioner’s claims will be considered exhausted only after “the state courts [have been 5 afforded]
a meaningful opportunity to consider allegations of legal error without interference 6 from the
federal judiciary.” Vasquez v. Hillery, 474 U.S. 254, 257 (1986). “[S]tate prisoners must 7 give the
state courts one full opportunity to resolve any constitutional issues by invoking one 8 complete
round of the State’s established appellate review.” O’Sullivan v. Boerckel, 526 U.S. 9 838, 845
(1999).

10 Although there is no exhaustion requirement mandated by 28 U.S.C. § 2241(c)(3), the 11 Ninth
Circuit Court of Appeals has held exhaustion is necessary as a matter of comity unless 12 special
circumstances warrant federal intervention prior to a state criminal trial. Carden v. 13 Montana,
626 F.2d 82, 83-84 (9th Cir. 1980); see Younger v. Harris, 401 U.S. 37 (1971).

14 Petitioner fails to show he exhausted state court remedies by presenting federal constitutional
or 15 statutory claims to the Washington state trial and appellate courts in the ongoing criminal 16
proceedings against him. Petitioner has also not shown special circumstances warrant federal 17
intervention in this case.

Therefore, Petitioner must show cause why this case should not be dismissed for failure to exhaust state remedies. III. Instructions to Petitioner and Clerk If Petitioner intends to pursue this § 2241 habeas action, he must file a response to this Order and an amended petition on the form provided by the Court.

The amended petition must be legibly rewritten or retyped in its entirety, it should be an original and not a copy, it should contain the same case number, and it may not incorporate any part of the original complaint by reference.

The amended petition will act as a complete substitute for the Petition, and not as a supplement. If Petitioner fails to adequately address the issues raised herein or file an amended pleading on or before February 11, 2026, the undersigned will recommend dismissal of this action. The Clerk is directed to provide Petitioner with the forms for filing a petition for habeas corpus relief pursuant to 28 U.S.C. § 2241 and forms for filing a civil rights complaint.

Dated this 12th day of January, 2026. David W. Christel United States Magistrate Judge