

**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)

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 18 dismissed for failure to exhaust state remedies. 19 III. Instructions to Petitioner and Clerk 20 If Petitioner intends to pursue this § 2241 habeas action, he must file a response to this 21 Order and an amended petition on the form provided by the Court.

The amended petition must be 22 legibly rewritten or retyped in its entirety, it should be an original and not a copy, it should 23 contain the same case number, and it may not incorporate any part of the original complaint by 24 1 reference.

The amended petition will act as a complete substitute for the Petition, and not as a 2 supplement. 3 If Petitioner fails to adequately address the issues raised herein or file an amended pleading 4 on or before February 11, 2026, the undersigned will recommend dismissal of this action. 5 The Clerk is directed to provide Petitioner with the forms for filing a petition for habeas 6 corpus relief pursuant to 28 U.S.C. § 2241 and forms for filing a civil rights complaint.

7 Dated this 12th day of January, 2026. 8 A 9 David W. Christel United States Magistrate Judge 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24