

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Raul De La Torre v. Todd M. Lyons, et al.

De La Torre v. Lyons · No. 25-cv-08998-JSC · Decided October 24, 2025

SUMMARY

The United States District Court for the Northern District of California vacated a temporary restraining order and dismissed a habeas petition without prejudice. The court concluded that it lacked jurisdiction because the petitioner had been detained in the Eastern District of California, and noted that the petitioner had been released from custody.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Jacqueline Scott Corley
JURISDICTION	United States District Court for the Northern District of California
DECIDED	October 24, 2025
DOCKET	25-cv-08998-JSC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner filed a federal habeas petition and moved for a temporary restraining order. After granting the TRO, the court learned that Petitioner was detained in Fresno, within the Eastern District of California, and ordered Petitioner to show cause why the petition should not be dismissed. Petitioner sought transfer under 28 U.S.C. §§ 1404(a) and 1406(a).
STANDARD OF REVIEW	The order addresses subject-matter jurisdiction and statutory venue for a habeas petition; no separate standard-of-review formulation is stated.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- federal habeas corpus
- subject matter jurisdiction
- injunctions
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Civil procedure
- Federal jurisdiction

QUESTIONS PRESENTED

1. Whether the Northern District of California had jurisdiction to issue the temporary restraining order when Petitioner was detained in the Eastern District of California.
2. Whether 28 U.S.C. §§ 1404(a) or 1406(a) authorized transfer of the habeas petition to the Northern District of California.
3. Whether the habeas petition should be dismissed after Petitioner was released from custody.

HOLDINGS

1. The Northern District of California lacked jurisdiction to issue the temporary restraining order because a habeas petition must be entertained in the district of confinement, and Petitioner was detained in the Eastern District of California.
2. Sections 1404(a) and 1406(a) did not authorize transfer because they permit transfer only to a district where the action might have been brought, and the habeas petition could not have been brought in the Northern District of California.
3. The petition was dismissed without prejudice after Petitioner was released from custody and was no longer in custody.

KEY QUOTATIONS

“The only district in which a court may entertain a habeas petition is one located in the ‘district in which the applicant is held,’ in other words, the district of confinement.” (at 1)

“Accordingly, the Court VACATES the Temporary Restraining Order and DISMISSES Petitioner’s habeas petition without prejudice.” (at 1)

FACTUAL BACKGROUND

Petitioner filed a writ of habeas corpus in the Northern District of California while detained in Fresno, California, which is in the Eastern District of California. The court initially granted a temporary restraining order, but the government informed the court that Petitioner was detained outside the district and later released Petitioner from custody in compliance with the order. Petitioner argued that the case should be transferred in the interest of justice under 28 U.S.C. §§ 1404(a) and 1406(a).

PROCEDURAL HISTORY

Petitioner filed the habeas petition in the Northern District of California on October 19, 2025, and the court granted a temporary restraining order the next day. The government advised that Petitioner was detained in Fresno in the Eastern District of California and subsequently released Petitioner from custody. After issuing an order to show cause, the court rejected Petitioner's request for transfer, vacated the TRO, dismissed the habeas petition without prejudice, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Doe v. Garland, 109 F.4th 1188, 1198 (9th Cir. 2024)

OPINION

Lyons

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 RAUL DE LA TORRE, Case No. 25-cv-08998-JSC 8 Plaintiff,

ORDER VACATING TEMPORARY

9 v. RESTRAINING ORDER AND

DISMISSING PETITION WITHOUT

10 TODD M. LYONS, et al., PREJUDICE 11 Defendants. Re: Dkt. Nos. 1, 10, 13 12 13 Petitioner
filed a writ of habeas corpus in the Northern District of California on October 14 19, 2025 and
moved for a temporary restraining order the following day, which the Court granted. 15 (Dkt. No.
10.) After the Court granted the TRO, the government filed an opposition noting that 16 Petitioner
was detained in Fresno, California, in the Eastern District of California. (Dkt. No. 11.) 17 The
government also released Petitioner from custody, in compliance with the Court’s order. 18 (Dkt.
No. 12.) On October 22, 2025, the Court issued an order to Petitioner to show why the 19 petition
should not be dismissed, noting the Court does not have jurisdiction to entertain the 20 petition as
the Northern District of California is not where Petitioner was detained. (Dkt. No. 11.) 21
Petitioner filed a Response the next day, arguing the case should be transferred “in the interest of
22 justice” under 28 U.S.C. Sections 1404(a) and 1406(a). (Dkt. No. 14.) 23 These statutes do not
authorize the Court to hear this petition. First, Petitioner does not 24 address and thus does not
dispute this Court never had jurisdiction to issue the temporary 25 restraining order in the first
instance. So, the temporary restraining order must be vacated. 26 Second, sections 1404(a) and
1406(a) allow transfer only to districts where the petition “might 27 have been brought.” 28
U.S.C. §§ 1404(a), 1406(a). The petition could not have been filed here 1 entertain a habeas
petition is one located in the ‘district in which the applicant is held,’ in other 2 words, the district
of confinement.” Doe v. Garland, 109 F.4th 1188, 1198 (9th Cir. 2024) (citing 3 28 U.S.C. § 2242);
(Dkt. No. 13.) Third, as Petitioner has been released, he is no longer in 4 || custody. 5 Accordingly,
the Court VACATES the Temporary Restraining Order and DISMISSES 6 || Petitioner’s habeas
petition without prejudice. 7 This order disposes of Dkt. Nos. 1 and 10. The Clerk shall close the
case. 8 IT IS SO ORDERED. 9 Dated: October 24, 2025

ACQUELINE SCOTT CORLE

I United States District Judge 12 15 16 17 Z 18 19 20 21 22 23 24 25 26 27 28

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