

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Jesse Joseph Aich v. Darrian Campbell

Aich · No. 26-3062-JWL · Decided April 27, 2026

SUMMARY

The United States District Court for the District of Kansas construed Jesse Joseph Aich’s response to an order to show cause as a motion for an extension of time. The court granted the extension, directed the Clerk to resend the order to show cause, and allowed Aich until June 2, 2026, to respond regarding potential dismissal of his § 2241 petition under the Ex parte Royall and Younger abstention doctrines.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	James P. O'Hara
JURISDICTION	United States District Court for the District of Kansas
DECIDED	April 27, 2026
DOCKET	26-3062-JWL
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. After the court issued an order to show cause regarding abstention, Petitioner's response was construed as a motion for an extension of time to respond.
PRECEDENTIAL VALUE	Unpublished, nonprecedential memorandum and order
PARTIES	Jesse Joseph Aich v. Darrian Campbell

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction relief
- Civil procedure

QUESTIONS PRESENTED

1. Whether Petitioner's response should be liberally construed as a motion for an extension of time when the order to show cause apparently was not delivered to him.

2. Whether the court should grant additional time for Petitioner to respond to the order to show cause.

HOLDINGS

1. Because the order to show cause apparently was not delivered to Petitioner and his response did not address the issues identified in that order, the court liberally construed the response as a motion for an extension of time.
2. The motion for an extension of time was granted, and Petitioner was given until June 2, 2026, to show cause in writing why the habeas matter should not be dismissed without prejudice.

FACTUAL BACKGROUND

Jesse Joseph Aich, a pro se pretrial detainee at the Reno County Correctional Facility in Hutchinson, Kansas, filed a § 2241 habeas petition. The court's March 24, 2026 memorandum and order to show cause was returned marked "Return to Sender," "Refused," and "Unable to Forward." Aich submitted a response by the April 24 deadline, but the response did not address the abstention doctrines identified in the show-cause order, apparently because he had not received it.

PROCEDURAL HISTORY

The court issued a memorandum and order to show cause on March 24, 2026, directing Petitioner to explain why the action should not be dismissed without prejudice under *Ex parte Royall* and *Younger v. Harris*. The order was returned as refused and unable to be forwarded, and Petitioner stated that he did not know why it had not been delivered. Because his response did not address abstention, the court liberally construed it as a motion for an extension of time, granted the motion, and ordered that a second copy of the show-cause order be sent.

DISPOSITION

other

CASES CITED

- *Ex parte Royall*, 117 U.S. 241 (1886)
- *Younger v. Harris*, 401 U.S. 37 (1971)

OPINION

Aich

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

JESSE JOSEPH AICH,

Petitioner,

v. CASE NO. 26-3062-JWL

DARRIAN CAMPBELL,

Respondent.

MEMORANDUM AND ORDER

This is a pro se petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2241 by Petitioner Jesse Joseph Aich, a pretrial detainee being held at the Reno County Correctional Facility (“RCCF”) in Hutchinson, Kansas. On March 24, 2026, the Honorable John W. Lungstrum, United States District Judge, issued a memorandum and order to show cause (“MOSC”) directing Petitioner to show good cause, in writing, why this action should not be dismissed under the abstention doctrines set out in *Ex parte Royall*, 117 U.S. 241 (1886), and *Younger v. Harris*, 401 U.S. 37 (1971). (Doc. 3.) The MOSC was mailed to Petitioner at the RCCF the same day, but was returned to the Court with the envelope marked “Return to Sender,” “Refused,” and “Unable to Forward.” (Doc. 6.) The deadline for Petitioner to respond to the MOSC was April 24, 2026. (Doc. 3, p. 6.) On that day, the Court received Petitioner’s response to the MOSC, which states he does not know why the MOSC was returned to the Court instead of being delivered to him. (Doc. 9, p. 1.) Although Petitioner’s response includes arguments on various topics, it does not address the abstention doctrines that were the focus of the MOSC. *Id.* at 1-9. This omission likely occurred because Petitioner did not receive the MOSC, although he states he did not refuse its delivery. In light of this information, the Court liberally construes the response as a motion for extension of time, which will be granted. The clerk will be directed to send Petitioner a second copy of the MOSC and Petitioner will be granted additional time in which to respond to it. IT IS THEREFORE ORDERED that the response (Doc. 9) is liberally construed as a motion for extension of time to respond to the memorandum and order to show cause issued on March 24, 2026 (Doc. 3) and is granted. Petitioner is granted to and including June 2, 2026 to show cause, in writing to the Honorable John W. Lungstrum, United States District Judge, why this matter should not be dismissed without prejudice for the reasons set forth in the March 24, 2026 memorandum and order to show cause. The clerk shall send to Petitioner with this order a copy of the memorandum and order to show cause (Doc. 3). IT IS SO ORDERED. DATED: This 27th day of April, 2026, at Kansas City, Kansas. S/ James P. O’Hara

JAMES P. O’HARA

United States Magistrate Judge