

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Adonys Giovanni Garcia Mesias v. Merrick B. Garland, et al.

Mesias · No. 3:26cv86 (DJN) · Decided February 11, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia considered a 28 U.S.C. § 2241 petition challenging immigration detention that was filed by the petitioner's sister as his purported next friend. The court held that she had not established next-friend standing or shown that the petitioner could not appear on his own behalf, and noted that she could not represent him as a non-attorney. The petition was denied without prejudice, the action was dismissed, and the pending motions were denied.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	David J. Novak
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	February 11, 2026
DOCKET	3:26cv86 (DJN)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging his immigration detention. His sister filed and purported to sign the petition as his next friend, but Petitioner did not sign it.
STANDARD OF REVIEW	The court applied the pleading and standing requirements governing a next friend seeking to pursue habeas relief for a detained person.
PRECEDENTIAL VALUE	Unknown
PARTIES	Adonys Giovanni Garcia Mesias v. Merrick B. Garland, et al.

TOPICS

- immigration detention
- federal habeas corpus
- standing
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Petitioner's sister established next-friend standing to file and prosecute a § 2241 petition on his behalf.
2. Whether the unsigned § 2241 petition complied with Rule 2(c)(5) of the Rules Governing § 2254 Cases as applied to § 2241 proceedings.
3. Whether a nonlawyer may represent Petitioner and litigate the habeas matter on his behalf.

HOLDINGS

1. A purported next friend must clearly establish both an adequate explanation why the real party in interest cannot appear personally and a significant relationship with, and dedication to the best interests of, that person. Petitioner's sister failed to make the required showing because she did not explain why Petitioner could not prosecute the action himself.
2. A habeas petition must be signed under penalty of perjury by the petitioner or by a person authorized to sign for the petitioner under 28 U.S.C. § 2242. Because the purported next friend was not authorized, the unsigned petition failed to comply with Rule 2(c)(5).
3. A person who is not a licensed attorney may not represent a third party and litigate that person's case.

KEY QUOTATIONS

“[A] next friend does not himself become a party to the habeas corpus action in which he participates, but simply pursues the cause on behalf of the detained person, who remains the real party in interest.” (294 F.3d at 603)

“[T]he availability of next friend standing as an avenue into federal court is strictly limited.” (294 F.3d at 603)

“The burden is on the next friend clearly to establish the propriety of his status and thereby justify the jurisdiction of the court.” (294 F.3d at 603-04)

FACTUAL BACKGROUND

Adonys Giovanni Garcia Mesias was detained at the Caroline Detention Center and sought to challenge his immigration detention through a § 2241 petition. His sister, Eslinka Priscila Garcia Mesias, filed the petition as a purported next friend, but Petitioner did not sign it and the record did not show that he had seen or approved the filing.

PROCEDURAL HISTORY

The Eastern District of Virginia received a § 2241 petition filed by Petitioner's sister on his behalf. The court found that she failed to establish next-friend standing and that the petition did not comply with Rule 2(c)(5). The petition was denied without prejudice, the action was dismissed, and pending motions were denied; the Clerk was directed to send Petitioner a standardized § 2241 petition form for any new action filed by him personally.

DISPOSITION

dismissed

CASES CITED

- Hamdi v. Rumsfeld, 294 F.3d 598, 603-04 (4th Cir. 2002)
- Whitmore v. Arkansas, 495 U.S. 149, 163-64 (1990)
- Aguayo v. Harvey, 476 F.3d 971, 976 (D.C. Cir. 2007)
- Francis v. Warden, FCC Coleman-USP, 246 F. App'x 621, 623 (11th Cir. 2007)
- DePonceau v. Pataki, 315 F. Supp. 2d 338, 341-42 (W.D.N.Y. 2004)
- Kone v. Wilson, 630 S.E.2d 744, 745-46 (Va. 2006)

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