

FILED

NOV 7 2005

RICHARD W. ...  
CLERK OF DISTRICT COURT  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MAJESTY IBAY GALL,

No. C 05-04473 SI

Petitioner,

ORDER TO SHOW CAUSE

v.

ALBERTO R. GONZALEZ, et al.,

Respondents.

United States District Court  
For the Northern District of California

Majesty Ibay Gali has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Gali's petition states that he has been ordered removed by the Board of Immigration Appeals, and that he is currently seeking review of the order of removal at the Ninth Circuit Court of Appeals. Gali's petition states that he is currently detained at an Immigration detention facility in Eloy, Arizona. Gali alleges that he has been detained for more than six months, and that because his removal is not immediately foreseeable, his continued detention violates 8 U.S.C. § 1231(a)(6) and 8 C.F.R. § 241.4.

The Court concludes that the petition warrants a response from respondent. Respondent must file and serve upon petitioner, on or before **December 1, 2005**, an answer showing cause why a writ of habeas corpus should not be issued. Respondent must file with the answer a copy of all portions of the administrative proceedings that are relevant to a determination of the issues presented in the petition. If petitioner wishes to respond to the answer, he must do so by filing a traverse with the Court and serving it on respondent on or before **December 19, 2005**. If the parties wish to modify this schedule, they may do so by joint stipulation. If, after review of the parties' answer and traverse, the Court determines that oral argument is necessary, the Court shall so notify the parties.

**IT IS SO ORDERED.**

Dated: November 7, 2005

SUSAN ILLSTON  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

Gali,

Plaintiff,

v.

Gonzalez et al,

Defendant.

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Case Number: CV05-04473 SI

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on November 7, 2005, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Martin Resendez Guajardo  
Law Office of Martin Resendez Guajardo  
555 Clay Street  
P.O. Box 2087  
San Francisco, CA 94111

Dated: November 7, 2005

Richard W. Wicking, Clerk  
By: Tracy Sutton, Deputy Clerk

