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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARIA ORTEGA-RANGEL,
Petitioner,
v.
JEFFERSON B. SESSIONS, et al.,
Respondents.

Case No. [18-cv-01618-JSC](#)

ORDER TO SHOW CAUSE

Re: Dkt. No. 1

Petitioner, a prisoner of U.S. Department of Homeland Security (“DHS”), filed a habeas corpus petition pursuant to 28 U.S.C. §§ 2241 and 2243 challenging her detention at the West County Detention Facility. Petitioner has paid the \$5.00 filing fee. Petitioner makes three claims: (1) that Petitioner had no meaningful access to challenge the charges that are the basis of Petitioner’s detention in violation of Fifth Amendment due process and the right to be free from self-incrimination, (2) the immigration judge’s reliance on pending charges that have not resulted in a conviction to find that Petitioner is a danger to the community violated Petitioner’s right to due process, and (3) the immigration judge’s decision to hold Petitioner without bond while ignoring key facts in Petitioner’s case violated Petitioner’s statutory right to a bond hearing and due process.

These claims, when liberally construed, are cognizable and potentially meritorious. Good cause appearing, Respondents are ordered to show cause as to why the petition should not be granted.

In order to expedite the resolution of this case, it is further ordered as follows:

1. The Clerk shall serve Respondents with a copy of this order and the petition with all attachments.
2. Respondents shall file with the Court and serve on Petitioner, within three days of

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service of the petition and this order, an answer showing cause why a writ of habeas corpus should not be granted based on the claims found cognizable herein. *See* 28 U.S.C. § 2243 (an order to show cause is directed to the person having custody of the person detained and shall be returned within three days).

If Petitioner wishes to respond to the answer, she shall do so by filing a traverse with the court and serving it on Respondents within two days of the date the answer is filed.

3. The Clerk shall send a notice to Respondents regarding consenting to the jurisdiction of a magistrate judge.

IT IS SO ORDERED.

Dated: April 3, 2018


JACQUELINE SCOTT CORLEY
United States Magistrate Judge