

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

JOSE FAVIO MOLINA JEREZ,)	
)	
Petitioner,)	8:08CV522
)	
v.)	
)	
JEFFREY LYNCH, Director of)	ORDER TO SHOW CAUSE
Immigration and Customs)	
Enforcement, Omaha Office;)	
MICHAEL B. MUKASEY, Attorney)	
General; and MICHAEL CHERTOFF,)	
Secretary of Department of)	
Homeland Security,)	
)	
Respondents.)	
)	

This matter is before the Court on Jose Favio Moleina Jerez's ("Jerez") petition for writ of habeas corpus and emergency request for stay of deportation (Filing No. [1](#)). The Court notes that Magistrate Judge Thalken has ordered that any proceeding or action to remove Jerez from the United States of America to Guatemala is stayed pending further order of the court (See Filing No. [3](#), at ¶ 3). Pursuant to 28 U.S.C. § 2243, the Court finds that, based upon the application, Jerez could be entitled to relief and therefore that the defendants should respond to this petition. The Court further finds that good cause exists to allow the defendants additional time to respond to this order and that an additional period of twenty (20) days is reasonable. Accordingly,

IT IS ORDERED that by 5:00 p.m. on January 14, 2009, the defendants shall show cause why Jerez's petition for writ of habeas corpus (Filing No. [1](#)) should not be granted.

DATED this 22nd day of December, 2008.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court