

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ALDO GONZALEZ GOMEZ, )  
)  
Petitioner, )

8:13CV96

V. )

GREG JENSEN, Field Office Director )  
Omaha Field Office U.S. Immigration )  
and Customs Enforcement U.S. )  
Department of Homeland Security, in )  
his Official Capacity and his )  
successors and assigns, JOHN )  
MORTON, Assistant Secretary U.S. )  
Immigration and Customs )  
Enforcement U.S. Department of )  
Homeland Security, in his Official )  
Capacity and his successors and )  
assigns, JANET NAPOLITANO, U.S. )  
Department of Homeland Security, in )  
her Official Capacity and his )  
successors and assigns, ERIC )  
HOLDER, Attorney General U.S. )  
Department of Justice, in his Official )  
Capacity and his successors and )  
assigns, and B.I. INCORPORATED, )  
In its organizational capacity, )

ORDER

**Respondents.**

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This matter is before the Court on Aldo Gonzalez Gomez’s Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 ([filing 1](#)). Petitioner alleges that he is currently under the custody of Immigration and Customs Enforcement, a division of the Department of Homeland Security (“DHS”), as part of the Intensive Supervision Appearance Program (“ISAP”). Petitioner claims that DHS unlawfully added the release condition of ISAP, even though the immigration judge ordered no such condition when re-determining the custody status of Petitioner. Petitioner claims that his continued custody via electronic monitoring

and supervision via the ISAP program violates his due process rights.

Upon consideration,

**IT IS ORDERED:**

1. Within three business days of service of this Order and the Petition, Respondents shall show cause why Petitioner's writ should not be granted.
2. Petitioner shall serve his petition and this Order on Respondents forthwith. Petitioner shall file a proof of such service with the Clerk of Court.

**DATED April 9, 2013.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**