

prolonged or indefinite. *See, e.g., Rosa v. DHS/ICE*, No. 15-5451, 2015 WL 4488022, at *3 (D.N.J. July 22, 2015) (summarily dismissing habeas petition where petitioner had only been in pre-order-removal immigration detention for two months and petition did not suggest that detention threatened to become prolonged or indefinite).

Accordingly, IT IS this 11th day of August, 2015,

ORDERED that the Clerk shall serve a copy of the petition (Dkt. No. 1) and this Order upon respondent Oscar Aviles by regular mail, with all costs of service advanced by the United States; and it is further

ORDERED that the Clerk shall forward a copy of the petition (Dkt. No. 1) and this Order to the Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further

ORDERED that within thirty (30) days of the date of the entry of this Order, respondent shall file and serve an answer which responds to the allegations and grounds in the petition and which includes all affirmative defenses respondent seeks to invoke, in addition to any other arguments respondent may make, the answer shall specifically address the impact, if any, of *Chavez-Alvarez v. Warden York Cnty. Prison*, 783 F.3d 469 (3d Cir. 2015), as well as petitioner's statement that the next hearing before the Immigration Judge is scheduled for February 20, 2016; and it is further

ORDERED that respondent shall file and serve with the answer certified copies of all documents necessary to resolve petitioner's claim(s) and affirmative defenses; and it is further

ORDERED that within thirty (30) days of receipt of the answer, petitioner may file a reply to the answer; and it is further

ORDERED that within seven (7) days of petitioner's release, by parole or otherwise, respondent shall electronically file a written notice of the same with the Clerk.



KEVIN MCNULTY
United States District Judge