

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RUPFF A HEINRICH,

Petitioner,

V.

WILLIAM PENALOZA, et al.

Respondents.

Case No. C17-862-RAJ-JPD

ORDER FOR RETURN AND STATUS
REPORT, § 2241 PETITION

Petitioner has filed a 28 U.S.C. § 2241 habeas petition, challenging his detention by U.S.

Immigration and Customs Enforcement (“ICE”). Having reviewed the petition, the Court

ORDERS:

(1) If not previously accomplished, electronic posting of this Order and petitioner's § 2241 habeas petition shall effect service upon the United States Attorney of the petition and all supporting documents. Service upon the United States Attorney is deemed to be service upon William Penalosa, ICE AVOD; Bryan Wilcox, ICE Field Office Director; Northwest Detention Center; the Department of Homeland Security; and John Kelly, Secretary of Homeland Security.

(2) **Within 30 days of the date this Order is posted**, respondent(s) shall show cause why a writ of habeas corpus should not be granted by filing a return as provided in 28 U.S.C. §

1 2243. As a part of such return, respondent(s) shall address and submit evidence relevant to
2 petitioner's allegation that his detention is unlawful because ICE is unable to effectuate his
3 removal in the reasonably foreseeable future. Respondent(s) shall file the return with the Clerk
4 of the Court and shall serve a copy upon petitioner.

5 (3) The return will be treated in accordance with LCR 7. Accordingly, on the face of
6 the return, respondent(s) shall note it for consideration on the fourth Friday after it is filed, and
7 the Clerk shall note the return accordingly. Petitioner may file and serve a response not later
8 than the Monday immediately preceding the Friday appointed for consideration of the matter,
9 and respondent(s) may file and serve a reply brief not later than the Friday designated for
10 consideration of the matter.

11 (4) If petitioner's custody status changes at any point during this litigation,
12 **respondent(s) shall file a status update with the Court as soon as possible and no later than
13 14 days after the change.**

14 (5) The Clerk is directed to send copies of this Order to petitioner and the Honorable
15 Richard A. Jones.

16 Dated this 28th day of June, 2017.

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18 JAMES P. DONOHUE
19 Chief United States Magistrate Judge
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