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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA

10 IN THE MATTER OF IMMIGRATION
11 HABEAS PETITIONS UNDER 28
12 U.S.C. § 2241
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} GENERAL ORDER NO. 26-05

16 This General Order establishes a case assignment and scheduling procedure to
17 address the influx of petitions for writs of habeas corpus filed by persons seeking
18 immigration-related relief (“§ 2241 Immigration Petitions”) and to facilitate their
19 expeditious resolution. These procedures will apply to all § 2241 Immigration
20 Petitions, unless otherwise ordered by the judge assigned to the case.

21 **1. Case Assignment and Consent to a Magistrate Judge**

22 When a petitioner files an § 2241 Immigration Petition electronically, the
23 petitioner will be given the option of consenting to Magistrate Judge jurisdiction
24 pursuant to 28 U.S.C. § 636 during the case-initiating process. The United States has
25 consented to Magistrate Judge jurisdiction over § 2241 Immigration Petitions, subject
26 to its reserved right to withdraw consent in a particular case. (See Exhibit A). If the
27 petitioner consents to Magistrate Judge jurisdiction during the case initiating process,
28 the case will be initially assigned to a Magistrate Judge.

1 The United States may file a notice of withdrawal of consent within 3 days of
2 service of the petition, or within 24 hours of service if an application for a temporary
3 restraining order accompanies the petition. If the United States withdraws consent, the
4 case will be randomly assigned to a District Judge to preside over the case for all
5 purposes and randomly referred to a new Magistrate Judge. Absent withdrawal, the
6 initially assigned Magistrate Judge will preside over the case for all purposes.

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8 If the petitioner does not consent during the case-initiating process, the case will
9 be assigned to a District Judge and referred to a Magistrate Judge, as provided in
10 General Order 05-07.

11 The Court encourages the parties to consider consenting to the jurisdiction of a
12 Magistrate Judge. Consent promotes judicial efficiency, allows the case to proceed
13 before a single judicial officer, and avoids the delay associated with the preparation
14 and review of a Report and Recommendation. Declining to consent will have no
15 adverse substantive consequences.

16 If a *pro se* petitioner wants to consent to Magistrate Judge jurisdiction at the
17 outset of the case, the petitioner shall complete and return a form indicating such
18 consent along with the petition.

19 Nothing in this Order prevents the parties from consenting to the jurisdiction of
20 a Magistrate Judge at a later stage of the case, subject to the District Judge's discretion
21 to accept or reject that consent.

22 **2. Briefing Schedule for Habeas Petitions**

23 Once a petition is docketed, the Clerk's Office will promptly serve the Petition
24 on the United States Attorney's Office via email to USACAC.ImmHabeas@usdoj.gov.
25 The Clerk's Office will also promptly issue a notice of the Court's standard scheduling
26 order, using the template attached as Exhibit B to this General Order. The notice shall
27 provide the following schedule:

1 Notice of Appearance: 3 calendar days after the Clerk’s Office issues the
2 scheduling notice.

3 Respondent’s Answer: 7 calendar days after the Clerk’s Office issues the
4 scheduling notice. Any arguments that the petition
5 should be dismissed shall be made in the answer and
6 not by separate motion.

7 Petitioner’s Reply: 3 calendar days after the filing of an answer for
8 represented petitioners; 14 days from service of the
9 answer for *pro se* petitioners.

10 The matter will stand submitted for final disposition upon filing of the reply. No
11 hearing will be held unless the parties are notified by the Court.

12 The assigned Judge may modify any portion of the standard scheduling order as
13 the circumstances of the case may require. If any party seeks to accelerate or extend
14 the briefing schedule, the parties shall promptly meet and confer. After doing so, the
15 parties shall file a stipulation or a joint statement that contains the parties’ competing
16 proposals for a briefing schedule.

17 Where a case is referred to the Magistrate Judge for preparation of a Report and
18 Recommendation, and where the Magistrate Judge recommends granting any form of
19 relief to a detained individual, any party that does not intend to file objections (or a
20 response, where objections are filed) shall promptly notify the Court.

21 **3. Temporary Restraining Orders and Preliminary Injunctions**

22 The standard scheduling order is intended to provide a prompt resolution to
23 habeas petitions and reduce the contemporaneous filing of applications for a temporary
24 restraining order. Applications for temporary restraining orders should be reserved for
25 cases where the petitioner alleges imminent, irreparable harm that cannot be addressed
26 by the standard scheduling order or by expediting the briefing schedule.

1 If the petitioner believes that an application for a temporary restraining order is
2 appropriate, the application must be filed as a separate document from the petition, and
3 must comply with Federal Rule of Civil Procedure 65 and Local Civil Rules 65-1 and
4 7-19. The filing of an application for a temporary restraining order does not alter or
5 suspend the parties' obligations under the standard schedule for briefing the petition
6 for final disposition.

7 The District Judge, or the Magistrate Judge where the parties have consented to
8 Magistrate Judge jurisdiction, will manage the case through adjudication of any
9 application for preliminary equitable relief.

10 **4. Pro Se Petitioners**

11 The procedures set forth above shall be the same with respect to *pro se*
12 petitioners.

13 To facilitate a prompt resolution of the petition, in all cases involving in-custody
14 *pro se* litigants, the United States Attorney's Office shall serve the petitioner and file
15 proof of such service within three days.

16 **5. Admission and Pro Hac Vice Fee Waiver for Appointed Counsel**

17 To facilitate the expeditious appointment of counsel in § 2241 Immigration
18 Petitions where the presiding judge finds that the interests of justice warrant appointing
19 counsel pursuant to 18 U.S.C. § 3006A(a)(2)(B), the Court waives the attorney
20 admission fee or pro hac vice fee of appointed counsel for the limited purpose of
21 representing the § 2241 petitioner.

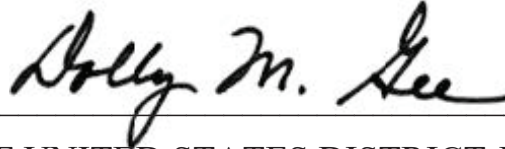
22 **6. Notice Regarding Removal of Petitioner from the Central District**

23 During the pendency of an § 2241 Immigration Petition, the government shall
24 provide at least two court days' notice to the petitioner, his or her counsel, and the
25 Court of its intent to remove the petitioner from the Central District of California.
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1 **7. Joinder of Petitioners**

2 Any joinder of petitioners into a single petition shall meet the standards set forth
3 in Rule 19 or 20 of the Federal Rules of Civil Procedure.
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5 IT IS SO ORDERED.

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9 CHIEF UNITED STATES DISTRICT JUDGE

10 *Date of Approval by the Court:* March 18, 2026

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12 *Date of Filing by the Clerk:* April 1, 2026
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EXHIBIT A



United States Department of Justice

United States Attorney's Office Central District of California

TODD BLANCHE
Deputy Attorney General
BILAL A. ESSAYLI
First Assistant United States Attorney

1200 United States Courthouse
312 North Spring Street
Los Angeles, California 90012

March 26, 2026

Sent via Email

Re: General Consent to Disposition by Magistrate Judge in Immigration Habeas Cases

Dear Chief Judge Gee:

The U.S. Attorney's Office for the Central District of California (USAO) represents United States Immigration and Customs Enforcement (ICE), and ICE employees named in their official capacity, in immigration-related habeas cases filed in the Central District of California under 28 U.S.C. § 2241. Effective immediately, the USAO hereby consents, pursuant to 28 U.S.C. § 636(c)(1), to the disposition by either a United States Magistrate Judge or a United States District Judge (at the discretion of the Court) in all such cases.

The U.S. Attorney's Office for the Central District of California reserves its right to withdraw consent in any individual case, and to withdraw this general consent, at any time.

Please do not hesitate to contact me if you have any questions.

Very truly yours,

TODD BLANCHE
Deputy Attorney General
BILAL A. ESSAYLI
First Assistant United States Attorney

EXHIBIT B

1 3. Respondent shall file an answer to the habeas petition no later than 7 days
2 from the date the Clerk’s Office issues this notice. Any arguments that the petition
3 should be dismissed shall be made in the answer and not by separate motion.
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5 4. Any reply shall be filed no later than 3 days after the answer is filed, or in
6 the case of an unrepresented petitioner, 14 days after the answer is served.

7 5. If any of these deadlines fall on a weekend, holiday, or day the court is
8 closed, the deadline shall be the next business day on which the court is open.

9 6. During the pendency of these proceedings, Respondent shall provide at
10 least two court days’ notice to the petitioner, petitioner’s counsel, and the Court of its
11 intent to remove the petitioner from the Central District of California.

12 7. If any party seeks to accelerate or extend the briefing schedule, the parties
13 shall promptly meet and confer. After doing so, the parties shall file a stipulation or a
14 joint statement that contains the parties’ competing proposals for a briefing schedule.
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