

United States District Court
Southern District of Texas

ENTERED

August 29, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**FREDY JAVIER HERNANDEZ LUCERO, §
§
Petitioner, §
VS. §
§
PAM BONDI, *et al.*, §
§
Respondents. §**

CIVIL ACTION NO. 4:25-cv-03981

ORDER FOR AN ANSWER

Petitioner Fredy Javier Hernandez Lucero, a detainee in the custody of U.S. Immigration and Customs Enforcement (ICE) in Houston, Texas, has filed a petition for habeas corpus relief under 28 U.S.C. § 2241, challenging his denial of release on bond and his continued detention. Preliminary examination of Petitioner's application for a writ of habeas corpus indicates that an answer is needed. Pursuant to 28 U.S.C. § 2241, the Court **ORDERS** as follows:

1. The Clerk shall issue summons and the U.S. Marshal shall serve copies of the Petition (Doc. No. 1) and this Order upon the following persons by certified mail, return receipt requested:

- a. Pamela Jo Bondi, United States Attorney General, U.S. Department of Justice, 950 Pennsylvania Avenue NW, Washington, DC 20530;
- b. Kristi Lynn Noem, Secretary of the United States Department of Homeland Security, U.S. Department of Homeland Security, 2707 Martin Luther King Jr Ave SE, Washington, DC 20528;
- c. Todd M. Lyons, Director of United States Immigration and Customs Enforcement, 500 12th St SW, Washington, DC 20536;

- d. Mathew W. Baker, Acting ICE Houston Field Office Director, U.S. Immigration and Customs Enforcement, 126 Northpoint Drive, Houston, TX 77060;
 - e. John Linscott, ICE Director, Houston Contract Defense Facility, U.S. Immigration and Customs Enforcement, 15850 Export Plaza Dr, Houston, TX 77032;
 - f. Martin Frink, Warden, Houston Contract Detention Facility, CoreCivic, 15850 Export Plaza Dr, Houston, TX 77032.
2. Respondents shall file an answer or other responsive pleading no later than **Wednesday, September 17, 2025**. Respondents shall forward a copy of same to Petitioner or to Petitioner's counsel. Respondents are cautioned that under Rule 12(c) of the Federal Rules of Civil Procedure, if Respondents' motion relies on matters outside the pleadings, the motion shall be treated as one for summary judgment and should be titled as such.
3. Respondents' answer shall contain:
- a. A statement of the authority by which Petitioner is held, and if held under the judgment or order of any court, the name of such court and the number and style of the case in which same were entered;
 - b. A specific response to each of Petitioner's factual allegations and legal contentions, with applicable authority;
 - c. A statement as to whether Petitioner has exhausted all administrative remedies;
 - d. A statement indicating what transcripts of prior proceedings, including detention proceedings, are available and when they can be furnished, and what proceedings have occurred but without transcription.

4. Unless the Court instructs otherwise, each party shall serve the other party, or counsel, with a copy of every pleading, letter, or other document submitted for consideration by the Court. Service shall be by mail to the other party. Every pleading or document filed with the Clerk of the Court shall contain a signed certificate stating the date a true and correct copy of the pleading or document was mailed and to whom. Any pleading or other document received by the Clerk that fails to include the certificate of service may not be accepted. Failure to serve in accordance with this Order may subject a party to sanctions by this Court. There will be no direct communications with the U.S. District Judge or any U.S. Magistrate Judge. All communications must be submitted to the Clerk with copies to the other party.
5. If Respondents file a dispositive motion (i.e., a motion to dismiss or for summary judgment), Petitioner shall file a response within **TEN DAYS** of the date reflected on the certificate of service. If Petitioner fails to comply within that time, the Court may dismiss the case for want of prosecution under Rule 41(b) of the Federal Rules of Civil Procedure.
6. The Clerk is to provide a copy of this Order to all parties, including Petitioner.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 28th day of August, 2025.



Keith P. Ellison
United States District Judge