

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Regina M. Rodriguez**

Civil Action No. 25-cv-03307-RMR

HUMBERTO ROMEU-PEREZ,

Petitioner,

v.

WARDEN, AURORA DETENTION CENTER,

Respondent.

ORDER

This matter is before the Court on a letter titled “Urgent – Emergency Notice of Transfers and Imminent Removal Risk” that was filed on December 3, 2025. (ECF No. 11 (emphasis removed)). The letter advises the Court that the petitioner in this case, Mr. Humberto Romeu-Perez, is no longer detained at the Aurora Detention Center in Aurora, Colorado, has been transferred to the Port Isabel Detention Center in Texas, and requests “that the Court issue an emergency order directing that Mr. Romeu-Perez be returned to Aurora Detention Center.” (*Id.* at 1 (emphasis removed)). A motion has also been filed seeking similar relief. (ECF No. 12). But the letter and motion were not filed by Mr. Romeu-Perez, they were filed by his wife, Lissette de la Paz. (*Id.*). Ms. de la Paz, however, is not a party to this case, does not claim that she is an attorney, nor has she entered an appearance as Mr. Romeu-Perez’s attorney in this case. Because she

appears to be a non-party *pro se* litigant, she may not raise claims or request relief on behalf of Mr. Romeu-Perez. 28 U.S.C. § 1654 (allowing *pro se* litigants to “plead and conduct their own cases personally”); see also *Fymbo v. State Farm Fire & Cas. Co.*, 213 F.3d 1320, 1321 (10th Cir. 2000) (“A litigant may bring his own claims to federal court without counsel, but not the claims of others.”) (citing 28 U.S.C. § 1654); *Cain v. Aragon*, 632 Fed. App’x 517, 518 (10th Cir. 2016) (“we have declined to allow non-attorney *pro se* litigants to prosecute the claims of others”). Therefore, the relief requested in the letter and motion will be denied without prejudice.

Nonetheless, the Court has now been advised that Mr. Romeu-Perez is no longer in the custody of the Warden of the Aurora Detention Center, the respondent in this case. In most cases, there is “only one proper respondent to a given prisoner’s habeas petition,” and the proper respondent generally is “the warden of the facility where the prisoner is being held[.]” *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004). “District courts are limited to granting habeas relief ‘within their respective jurisdictions,’” which requires “nothing more than that the court issuing the writ have jurisdiction over the custodian.” *Id.* at 442 (quoting 28 U.S.C. § 2241(a)).

Mr. Romeu-Perez is no longer in the custody of the Warden of the Aurora Detention Center; he is in the custody of the Warden of the Port Isabel Detention Center. Thus, the parties will be ordered to show cause why it is not in the interest of justice to substitute “Warden, Port Isabel Detention Center” as the respondent to this case and transfer the action to the United States District Court for the Southern District of Texas. See 28 U.S.C. § 2241(d) (stating that the “district court for the district wherein

such an application is filed in the exercise of its discretion and in furtherance of justice may transfer the application to the other district court for hearing and determination”); *see also Trujillo v. Williams*, 465 F.3d 1210, 1222 (10th Cir. 2006) (“A court may *sua sponte* cure jurisdictional and venue defects by transferring a suit under the federal transfer statutes, 28 U.S.C. §§ 1406(a) and 1631, when it is in the interest of justice.”).

Accordingly, it is

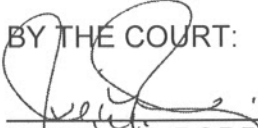
ORDERED that the relief requested in the letter titled “Urgent – Emergency Notice of Transfers and Imminent Removal Risk” (ECF No. 11) and “Emergency Motion for Temporary Restraining Order / Stay of Removal” (ECF No. 12) are **DENIED WITHOUT PREJUDICE**. It is

FURTHER ORDERED that the parties show cause, in writing, **within 7 days from the date of this order**, why “Warden, Port Isabel Detention Center” should not be substituted as the respondent to this case and the case be transferred to the United States District Court for the Southern District of Texas. It is

FURTHER ORDERED that if the parties fail to show cause within the time allowed, this action will be transferred to the United States District Court for the Southern District of Texas without further notice.

DATED at Denver, Colorado, December 5, 2025.

BY THE COURT:


REGINA M. RODRIGUEZ
United States District Judge