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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

HECTOR DE JESUS CISNEROS
LOPEZ; A 
Petitioner,

v.

LUIS SOTO, in his official capacity as Warden of Delaney Hall Detention Facility; JOHN TSOUKARIS, in his official capacity as Field Office Director of the Immigration and Customs Enforcement, Enforcement and Removal Operations Newark Field Office; TODD LYONS, in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement; KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, and PAMELA BONDI, in her official capacity as United States Attorney General.

Respondents.

Case No. **2:25-cv-17353**

**APPLICATION FOR
ISSUANCE OF
ORDER TO SHOW
CAUSE**

1. Pursuant to 28 U.S.C. § 2243, Petitioner, HECTOR DE JESUS CISNEROS LOPEZ (hereinafter “Hector Lopez”) respectfully requests that this Court “forthwith” issue an order directing Respondents to show cause why the petition for a writ of habeas corpus filed by Petitioner pursuant to 28 U.S.C. § 2241 should not be granted.

2. Petitioner challenges his unlawful detention by Respondents. Mr. Hector Lopez was arrested on October 31, 2025 by the ICE-ERO Central Islip, NY Sub Office while exiting the parking lot of a Home Depot in Shirley, NY and subsequently detained at Delaney Hall Detention Facility. He has no criminal record and has been living in New York since he entered the United States in December 2012. He has community ties, including a U.S. citizen child, such that he is not a flight risk nor a danger to society. He is not subject to mandatory detention. *See* Petition for Writ of Habeas Corpus, Dkt. No. **2:25-cv-17353**.

3. The federal habeas corpus statute provides that “[a] court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto.” 28 U.S.C. § 2243.

4. Section 2243 further provides that the writ or order to show cause “shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.”

5. Section 2243 further provides that the court shall hold a hearing on the writ or order to show cause “not more than five days after the return unless for good cause additional time is allowed.”

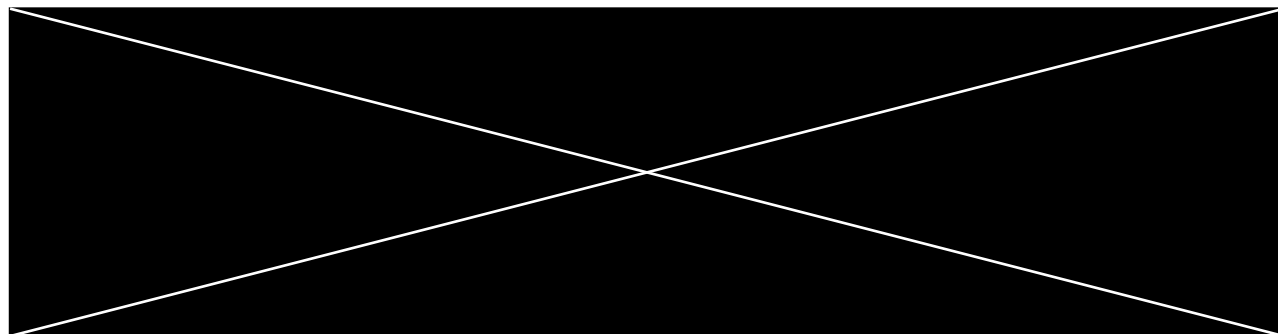
6. In addition, Section 2243 states that the court “shall summarily hear and determine the facts, and dispose of the matter as law and justice require.”


7. Pursuant to Section 2243, Petitioner requests that the Court immediately issue an Order to Show Cause directing Respondents to file a return within three days of the Court’s order, showing cause, if any, why the writ of habeas corpus should not be granted, and to provide Petitioner an opportunity to file a reply within 7 days after Respondents file the return.

8. Giving Respondents additional time to respond is inappropriate in this case because Petitioner faces irreparable harm to his mental and physical health as a result of his detention. He is a survivor of severe violence in his home country. He was abandoned by his father and forced to go to work as a young child to help support his mother and siblings. [REDACTED]

[REDACTED]

[REDACTED]



 – trauma that has been exacerbated by his forced confinement in immigration detention. Furthermore, the Petitioner has a long-term partner and a U.S. citizen minor child in New York who rely on him for support. He is a survivor of severe harm who is now experiencing the avoidable and unnecessary suffering of being separated from his loved ones. Absent an order to show cause, Petitioner will continue to be deprived of his physical liberty.

Dated: November 11, 2025

Respectfully submitted,

/s/Catherine E. Reilly
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Respondents.

Case No. **2:25-cv-17353**

**[PROPOSED]
ORDER TO SHOW
CAUSE**

Upon consideration of Petitioner's Application for Issuance of Order to Show Cause pursuant to 28 U.S.C. § 2243 and Petitioner's Petition for Writ of Habeas Corpus (Dkt. No. **2:25-cv-17353**), IT IS HEREBY ORDERED that:

1. Respondents shall file a return on the Order to Show Cause why the Petition for Writ of Habeas Corpus should not be granted by November ____, 2025;
2. Petitioner shall have an opportunity to file a reply by November ____, 2025;
3. This matter shall be heard by this Court on _____ at _____.
4. Service of this Order shall be made by Petitioner on the United States Attorney for the District of New Jersey by _____ at _____ and shall constitute good and sufficient service.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE