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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 JOSE OSVALDO FERREIRA JUNIOR,  
12 Petitioner,  
13 v.  
14 TIMOTHY ROBBINS, ET AL.,  
15 Respondent.

CASE NO. 1:25-CV-01671-DC-DMC  
RESPONSE TO ORDER TO SHOW CAUSE,  
ECF 8

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18 On November 28, 2025, Petitioner filed for relief under 28 U.S.C. § 2241 and simultaneously  
19 filed a motion for temporary restraining order (TRO). ECF Nos. 1, 2. On December 1, 2025, the Court  
20 issued a minute order directing Respondents to file an opposition or statement of non-opposition to the  
21 pending TRO by December 3, 2025. ECF No. 5. On December 4, 2025, the office of the undersigned  
22 received notice from the Court that a response had not been filed as ordered by the Court and the Court  
23 issued an Order to Show Cause why petitioner's motion should not be deemed unopposed. ECF No. 8.

24 Upon notification, Civil Chief, Edward Olsen and the paralegal assigned to the U.S. Attorney's  
25 Office's (USAO) Habeas Unit investigated why the Court deadline was missed. The USAO has no  
26 record of being served with either the Habeas Petition or the Motion and, after contacting Petitioner's  
27 counsel, confirmed that neither formal nor informal service had been attempted of either the Petition or  
28 Motion. Further investigation revealed that an ECF notification of the Court's December 1, 2025 Order

1 was received by the USAO's habeas unit email account but was missed due to the high volume of  
2 incoming habeas petitions and TROs. Consequently, no Assistant United States Attorney (AUSA) was  
3 assigned to the case.

4 Upon notification of the TRO, the case was immediately assigned to AUSA Dean Carter and an  
5 appearance of counsel was filed on the docket. On the same date, Civil Chief Edward Olsen emailed  
6 counsel for the Petitioner, who stated that he believed that the Court electronically served the  
7 Respondent and was unaware that it was Petitioner's responsibility to effect service of the Petition and  
8 TRO on Respondents.

9 In light of the misunderstanding regarding service of the Petition and TRO and the missed  
10 deadline, the parties have stipulated and agreed to extend Respondents' deadline to respond to the TRO  
11 to December 10, 2025, and Petitioner's deadline to reply to December 12, 2025.

12 On behalf of Respondents and the United States Attorney's Office, the undersigned expresses  
13 sincere regret for the oversight in failing to follow the Court's December 1, 2025 Order and apologizes  
14 for the missed deadline.

15 The undersigned, working with support personnel and calendaring numerous directives from  
16 jurists in this Court, endeavors to timely meet every deadline. The undersigned regrets that on this  
17 occasion this foremost goal of the undersigned and the Office of the U.S. Attorney was not met.  
18 Because the failure was unintentional and circumstantial due to a misunderstanding of petitioner's  
19 counsel regarding service of the petition and TRO, and a missed ECF notification in the Habeas Unit's  
20 email account amid voluminous immigration-related ECF notices from numerous cases, Respondents  
21 respectfully request that the Court find that cause has been shown in satisfaction of the Court's Order to  
22 Show Cause and extend the deadline to respond to the TRO.

23  
24 Dated: December 5, 2025

ERIC GRANT  
United States Attorney

/s/ W. Dean Carter  
W. DEAN CARTER  
Assistant United States Attorney