

ENTERED

December 04, 2025

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JORGE LUIS MEZA YANEZ,	§	CIVIL ACTION NUMBER
Petitioner,	§	4:25-cv-05779
	§	
	§	
versus	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
GRANT DICKEY, <i>et al</i> ,	§	
Respondents.	§	

ORDER

Pending is a petition for a writ of *habeas corpus* and an *ex parte* motion for temporary restraining order filed on December 2, 2025. Dkts 1 & 2.

Petitioner Jorge Luis Meza Yanez is a citizen of Mexico who entered the United States without inspection on or about January 1, 2000. Dkt 1 at ¶13. He states that he fled Mexico because of “threats and violence directed against him” and “fears that, if returned to Mexico, he would face serious harm and substantial risk of persecution or torture.” *Ibid*.

Petitioner states that he was detained on October 6, 2025, by ICE officers and charged with being an alien present in the United States without being admitted or paroled. *Id* at ¶14. He was then processed and placed in detention at the Montgomery Processing Center. *Id* at ¶15.

He now challenges his continued detention. He states causes of action for alleged violation of the INA and the Due Process Clause of the Fifth Amendment as interpreted in *Zadvydas v Davis*, 533 US 678 (2001). *Id* at ¶¶22–34. Among other relief, he requests a temporary restraining order directing Respondents to immediately release him from custody. Dkt 1 at 7–8.

Petitioner hasn't provided sufficient evidence to warrant immediate release with entry of this Order. He specifically fails to identify any provision of the INA violated by his detention pending initiation of removal proceedings. Petitioner does allege that his detention violates 28 USC §1231(a), as interpreted by the Supreme Court in *Zadvydas*. See Dkt 1 at ¶28, citing 533 US at 689. But it isn't clear why he believes that decision pertains, given the relative brevity of his current detention to this point and the lack of a final order of removal issued against him. See id at ¶13.

The motion for *ex parte* temporary restraining order is thus DENIED. Dkt 2.

That said, and even though not requested, Petitioner is entitled to a show-cause order pursuant to 8 USC §2243.


Respondents are ORDERED to show cause with a filing that establishes the propriety of Petitioner's continued detention. Such filing must be made by December 11, 2025.

Counsel for Petitioner is ORDERED to provide immediate service of this Order by email directed to the counsel for Government with whom he has been in communication about this matter. It is noted that certificates of service attached to the petition appear to indicate that Respondents have already been served. See Dkt 1 at 9-11.

This matter is SET for a show-cause hearing on December 11, 2025, at 3:00 pm.

SO ORDERED.

Signed on December 4, 2025, at Houston, Texas.


Honorable Charles Eskridge
United States District Judge