

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

CESAR GALO COLINDRES

Petitioner, :

-against- : Case No. 1:25-cv-18154-CPO

JONATHAN FLORENTINO, ACTING NEWARK
FIELD OFFICE DIRECTOR, ENFORCEMENT
AND REMOVAL OPERATIONS, U.S.
IMMIGRATION AND CUSTOMS

ENFORCEMENT (ICE); TODD LYONS, In His
Official Capacity As Acting Director, United
States Immigration and Customs Enforcement
(ICE); KRISTI NOEM, IN HER OFFICIAL
CAPACITY AS SECRETARY OF THE UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY;

Respondents. :

1. Pursuant to 28 U.S.C. § 2243, Petitioner 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 continued detention by Respondents in violation of the Immigration and Nationality Act and his constitutional rights to due process.
3. Petitioner has been unlawfully detained for 105 days, pending appeal of an automatic stay of an order for his release on conditions imposed by an immigration judge (IJ) after hearing on September 4th, 2025. *See* Petition for Writ of Habeas Corpus, Dkt. No. 1:25-cv-18154-CPO.

4. 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.
5. 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.”
6. 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.”
7. 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.”
8. 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 10 days after Respondents file the return.
9. Giving Respondents additional time to respond is inappropriate in this case because Petitioner faces irreparable harm due to the deprivation of his physical liberty and separation from his family.

Dated: December 5, 2025

Respectfully Submitted,

/s/ Rebecca Robles
REBECCA ROBLES, ESQ.
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Attorney for Petitioner

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FOR THE DISTRICT OF NEW JERSEY

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Petitioner,

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-against-

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Case No. 25-18154

:

JONATHAN FLORENTINO, ACTING NEWARK
FIELD OFFICE DIRECTOR, ENFORCEMENT
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STATES DEPARTMENT OF HOMELAND
SECURITY;

:

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

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Respondents.

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. 1:25-cv-18154-CPO), 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 _____ .

2. Petitioner shall have an opportunity to file a reply by _____ .

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 ____ on ____ and shall constitute good and sufficient service.

IT IS SO ORDERED:

UNITED STATES DISTRICT JUDGE