UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JOSE ROBERTO HERNANDEZ BRAVO,	§	
	§	
Petitioner,	§	
	§	Civil Action No. 4:25-CV-05929
v.	§	
	§	
KRISTI NOEM, *et al.*,	§	
	§	
Respondents.	§	

FEDERAL RESPONDENTS' STATEMENT IN COMPLIANCE WITH SHOW CAUSE ORDER

The Federal Respondents file this Statement in response to the Court's order to show cause with respect to Petitioner's detention (ECF No. 4).

As observed by the Court, "Petitioner doesn't articulate a specific reason as to why he believes his detention to be unlawful." ECF No. 4 at 1. Since then, Petitioner amended his complaint, which appears to contain one additional allegation that he "was taken by a bounty hunter who had instructions to search for [his] brother[,]" and "was taken from a private residence without a warrant and without legal authority." ECF No. 5 at 4–5.

It is still unclear the legal theories he relies on for the proposition that his detention itself is unlawful, as is the relevant inquiry in a core habeas challenge. *See, e.g.*, *Preiser v. Rodriguez*, 411 U.S. 475, 484, 93 S.Ct. 1827, 36 L.Ed.2d 439 (1973) ("It is clear . . . from the common-law history of the writ . . . that the essence of habeas corpus is an attack by a person in custody upon the legality of that custody[.]"). And it is well-taken that obtain a writ of habeas corpus, the petitioner bears the burden of proving that his detention is contrary to law. *See, e.g.*,

Villanueva v. Tate, No. 4:25-CV-03364, 2025 WL 2774610, at *4 (S.D. Tex. Sept. 26, 2025) (quoting 28 U.S.C. § 2241(c)(3)).

Here, Petitioner has failed to meet that burden. The Federal Respondents submit that the detention is therefore not unlawful. If and when Petitioner more precisely articulates a legal theory, the Federal Respondents anticipate filing a dispositive motion.

Dated: December 22, 2025

Respectfully submitted,

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CERTIFICATE OF SERVCE

I certify that on December 22, 2025, the foregoing was filed and served on counsel for Petitioner via the Court's CM/ECF service.

/s/ Shawn D. Ren
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