

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAIRO MANUEL CORRALES CORRALES,

Case No. 4:25-cv-5943

Petitioner,

**PETITIONER'S MOTION FOR AN
ORDER TO SHOW CAUSE
REQUIRING RESPONDENTS
TO TIMELY RESPOND**

v.

Alexander SANCHEZ, Warden of IAH Polk Adult Detention Facility; Bret A. BRADFORD, Houston Field Office Director for U.S. Immigration and Customs Enforcement and Removal Operations; Todd LYONS, in his capacity as Acting Director, Immigration and Customs Enforcement; Kristi NOEM, Secretary, U.S. Department of Homeland Security; Pamela BONDI, US. Attorney General; Executive Office for Immigration Review.

Respondents.

**PETITIONER'S MOTION FOR AN ORDER TO SHOW CAUSE REQUIRING
RESPONDENTS TO TIMELY RESPOND**

Petitioner, Jairo Manuel Corrales Corrales, hereby requests that the Court issue an Order to Show Cause requiring Respondents to timely respond to his Petition for Writ of Habeas Corpus, pursuant to Rules 1(b) and 4 Governing § 2254 Cases in the U.S. District Courts, and 28 U.S.C. § 2243. For the reasons set forth below, and based on good cause shown, Petitioner requests that the Court order Respondents to file their response within three days of the date of filing of the Petition

or, for good cause shown, additional time not exceeding twenty days. Should this Court require a hearing, then the Petitioner requests that the hearing be set quickly.

FACTS AND PROCEDURAL HISTORY

Petitioner, Jairo Manuel Corrales Corrales, is a citizen of Mexico who has been in immigration detention since approximately November 1, 2025. Petitioner was detained on his way home from work, in Galveston, Texas. ICE did not set bond. On December 3, 2025, Mr. Corrales Corrales, filed a request for a bond hearing with the Conroe, Texas Immigration Court, which was denied by the presiding Immigration Judge. The Immigration Judge cited lack of jurisdiction due to Respondents' new policies.

ARGUMENT

I. The Court Should Order Respondents to Make a Timely Response based on 28 U.S.C. § 2243 and Rules Governing Habeas Petitions in District Courts.

Jairo Manuel Corrales Corrales requests that the Court order Respondents to make a timely response to his habeas petition within three days. This Court has authority to order such relief, based on the Rules governing habeas proceedings in the United States district courts. *See* Rules Governing § 2254 Cases in the U.S. Dist. Cts., Rule 1(b) (“The district court may apply any or all of these rules to a habeas corpus petition [other than a § 2254 petition].”); Rule 4 (“If the petition is not dismissed [*sua sponte*], the judge must order the respondent to file [a] . . . response within a fixed time, or to take other action the judge may order.”).

In addition, 28 U.S.C. § 2243 provides further authority for this Court to grant Petitioner's request. This provision provides in relevant part:

A court, justice or judge entertaining an application for 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.

The writ, or order to show cause shall be directed to the person having custody of the person detained. It shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.

The person to whom the writ or order is directed shall make a return certifying the true cause of the detention.

When the writ or order is returned a day shall be set for hearing, not more than five days after the return unless for good cause additional time is allowed.

28 U.S.C. § 2243 (emphasis added).

Pursuant to Section 2243, this Court may order Respondents to file an answer or “return” on the habeas petition within three days, or additional time not exceeding twenty days, if good cause is shown. Here, Petitioner seeks an order requiring a response within three days or, for good cause shown, additional time not exceeding twenty days, which provides adequate time for Respondents to marshal facts and legal arguments that they believe support his detention. This case does not require complex or protracted investigation by Respondents. No difficult factual questions prohibit Respondents from filing an answer to the habeas petition within three days or, for good cause shown, additional time not exceeding twenty days.

Additional grounds exist for requiring Respondents to timely respond. First, the habeas statute contemplates a timely hearing and remedy. “Congress has provided that once a petition for a writ of habeas corpus is filed, unless the court is of the opinion that the petitioner is not entitled to an order to show cause, the writ must be awarded ‘forthwith,’ or an order to show cause must be issued.” *Harris v. Nelson*, 394 U.S. 286, 298-99 (1969) (quoting 28 U.S.C. § 2243); *see also*,

Simpson v. Ortiz, 995 F.2d 606, 609 (5th Cir. 1993). A habeas petition “is a speedy remedy, entitled by statute to special, preferential consideration to insure expeditious hearing and determination.” *Van Buskirk v. Wilkinson*, 216 F.2d 735, 737-38 (9th Cir. 1954); *see also*, *McClellan v. Young*, 421 F.2d 690, 691 (6th Cir. 1970); *Johnson v. Rogers*, 917 F.2d 1283, 1284 (10th Cir. 1990); *Yong v. INS*, 208 F.3d 1116, 1120 (9th Cir. 2000).

Second, while the Court undoubtedly has discretion to determine the order of civil actions before it, 28 U.S.C. § 1657 requires district courts to prioritize actions brought “under chapter 153” of Title 28, which is the chapter codifying habeas jurisdiction, over other civil actions. “Liberty’s priority over compensation is why 28 U.S.C. § 1657 specifies that requests for collateral relief go to the head of the queue.” *Post v. Gilmore*, 111 F.3d 556, 557 (7th Cir. 1997); *see United States v. Samples*, 897 F.2d 193, 195 (5th Cir. 1990) (“28 U.S.C. § 1657 requires that courts expedite [habeas petitions].”).

Petitioner should not have to wait longer for Respondents to answer when relevant law authorizes and contemplates this short time frame and because facts and circumstances warrant expedited consideration of her habeas petition.¹

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court order Respondents to file their response within three days of the date of filing of the Petition or, for good cause shown, additional time not exceeding twenty days, and Petitioner to file a reply within ten days thereafter. Should this Court require a hearing then Petitioner requests that the hearing on the Petition shortly thereafter.

¹ The Court has the authority, pursuant to the Rules governing habeas petitions and 28 U.S.C. § 2243 and above-cited case law governing the timely disposition of habeas petitions, to issue the Order to Show Cause setting a schedule for Respondents’ answer, without waiting for Respondents to answer this motion, which would cause further delay. The habeas petition itself seeks the same expedited schedule for an answer, reply, and hearing.

Dated: December 11, 2025.

Respectfully submitted,

/s/ Jessica Y. Rodriguez
Jessica Y. Rodriguez
TX State Bar No. 24058856
SDTX I. D. 3937605
Email: jrodriguezlaw@me.com
J. Rodriguez Law Firm, PLLC
710 N. Post Oak Rd., Suite 120
Houston, Texas 77024

CERTIFICATE OF SERVICE

I certify that I caused a copy of the foregoing

**PETITIONER'S MOTION FOR AN ORDER TO SHOW CAUSE
REQUIRING RESPONDENTS TO
TIMELY RESPOND**

to be served on the DOJ Attorney for the Respondents by email.

Dated this 11th day of December 2025,

/s/ Jessica Y. Rodriguez
Jessica Y. Rodriguez

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JAIRO MANUEL CORRALES CORRALES,

Case No. 4:25-cv-5943

Petitioner,

**PETITIONER’S MOTION FOR AN
ORDER TO SHOW CAUSE
REQUIRING RESPONDENTS
TO TIMELY RESPOND**

v.

Alexander SANCHEZ, Warden of IAH Polk Adult Detention Facility; Bret A. BRADFORD, Houston Field Office Director for U.S. Immigration and Customs Enforcement and Removal Operations; Todd LYONS, in his capacity as Acting Director, Immigration and Customs Enforcement; Kristi NOEM, Secretary, U.S. Department of Homeland Security; Pamela BONDI, US. Attorney General; Executive Office for Immigration Review.

Respondents.

**PETITIONER’S MOTION FOR AN ORDER TO SHOW CAUSE REQUIRING
RESPONDENTS TO TIMELY RESPOND**

On December 11, 2025, Plaintiff filed a Motion for an Order to Show Cause requiring Respondent’s to timely respond. The Motion is hereby_____.

Dated this _____ day of _____,_____.

(day)

(month)

(year)

United States District Judge
Southern District of Texas