

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

NOE NAHUN TORRES REYES,

Petitioner,

v.

PAMELA BONDI, Attorney General of
the United States, KRISTI NOEM,
Secretary of the U.S. Department of
Homeland Security; TODD LYONS,
Acting Director, Enforcement and
Removal Operations, U.S. Immigration
and Customs Enforcement; FIELD
OFFICE DIRECTOR (OR ACTING
DIRECTOR), U.S. Immigration and
Customs Enforcement, Baltimore
Maryland, in their official capacities,

Respondents.

Case No: 8:25-CV-4143-MJM

MOTION FOR ISSUANCE OF ORDER TO SHOW CAUSE

1. Pursuant to 28 U.S.C. § 2243, Petitioner Noe Nahun Torres Reyes (“Mr. Torres”) respectfully requests that this Court “forthwith” issue an order directing Respondents to show cause why Mr. Torres’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 should not be granted.

2. Mr. Torres challenges his unlawful detention, which is violating his Due Process rights under the Fifth Amendment and protections against cruel and unusual punishment guaranteed under the Eighth Amendment to the U.S. Constitution, as well as violations of the Immigration and Nationality Act (8 U.S.C. § 1011 *et. seq.*) and its regulations. *See* Petition for Writ of Habeas Corpus. Dckt. No. 1.

3. 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.

4. 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.”

5. 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.”

6. 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.”

7. Pursuant to Section 2243, Mr. Torres 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 Mr. Torres an opportunity to file a reply within five days after Respondents file the return.

8. Giving Respondents additional time to respond is inappropriate in this case because Mr. Torres faces irreparable harm due to unlawful detention at the Baltimore Immigration and Customs Enforcement, Enforcement and Removal Operations Field Office in Baltimore, Maryland. He is away from his family and community, which makes preparing a defense to removal extremely difficult.

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Respectfully submitted,

//S// Doran Michelle Shemin

Doran Michelle Shemin

D. Md. Bar # 31758

Counsel for Petitioner

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12/16/2025

Date

CERTIFICATE OF SERVICE

I, Doran Michelle Shemin, affirm that this motion and attached proposed order will be served upon Respondents' Counsel at the U.S. Attorney for the District of Maryland's Office and Respondents by certified mail at the following addresses:

Kelly O. Hayes, U.S. Attorney for the District of Maryland
Southern Division Office
6406 Ivy Lane, Suite 800
Greenbelt, MD 20770

Pamela Bondi, U.S. Attorney General
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Kristi Noem, Secretary of the U.S. Department of Homeland Security
C/O Office of the General Counsel
245 Murray Lane SW
Mail Stop 0485
Washington, DC 20528

Todd Lyons, Acting Director of Enforcement and Removal Operations, Immigration and Customs
Enforcement, U.S. Department of Homeland Security
C/O Office of the General Counsel
245 Murray Lane SW
Mail Stop 0485
Washington, DC 20528

Baltimore ICE ERO Field Office Director
C/O Office of the General Counsel
245 Murray Lane SW
Mail Stop 0485
Washington, DC 20528

//S// Doran Michelle Shemin
Doran Michelle Shemin

12/16/2025
Date