

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

LUIS DANIEL EURIZA ALVAREZ)
)
 Petitioner,)
)
 v.)
)
 MICHAEL PHILIPS, in his official capacity as)
 Acting Field Office Director of the Immigration)
 and Customs Enforcement, Enforcement and)
 Removal Operations Buffalo Field Office;)
 KRISTI NOEM, in her official capacity as)
 Secretary of the U.S. Department of Homeland)
 Security; PAMELA BONDI, in her official)
 Capacity as Attorney General of the United States,)
)
 Respondents.)

Case No. 9:26-cv-058 (AJB)

MOTION FOR ORDER TO SHOW CAUSE UNDER 28 U.S.C. § 2243

On January 12, 2026, Petitioner filed a petition for a writ of habeas corpus challenging his unlawful detention in violation of the Fifth Amendment due process clause and the Immigration and Nationality Act. Dkt. 1.

Pursuant to 28 U.S.C. § 2243, petitions for habeas corpus must be handled in an expedited manner. Specifically, the Court “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 order] shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.” 28 U.S.C. § 2243. Therefore, Petitioner respectfully requests that this Court order Respondents to respond to the petition for a writ of habeas corpus promptly, and in no case later than 23 days or by Wednesday, February 4, 2026, the maximum time allowed by statute.

Accordingly, Petitioner respectfully requests that this Court order Respondents to respond to the petition for writ of habeas corpus.

Respectfully submitted,

/s/ Ivan Yacub

Ivan Yacub

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Date: January 20, 2026

Attorney for Petitioner