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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NEERAJ KUMAR  
A   
Petitioner

v.

J.L. JAMISON  
Warden of the  
Philadelphia Federal  
Detention Center

MICHAEL T. ROSE  
Acting Director of Philadelphia  
Immigration and Customs Enforcement  
Office

PAMELA JO BONDI,  
Attorney General of the  
United States of America,

KRISTI NOEM,  
Secretary of the Department of  
Homeland Security, (DHS),

TODD LYONS,  
Acting Director,  
United States Immigration and  
Customs Enforcement (ICE), and,

Respondents.

Civil Action No. 2:26-cv-470

APPLICATION FOR ISSUANCE  
OF ORDER TO SHOW CAUSE

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 prolonged detention without the possibility of bond, in violation of the Due Process Clause and the Immigration and Nationality Act. See Petition for Writ of Habeas Corpus, Dkt. 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, 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 seven days after Respondents file the return.

8. Giving Respondents additional time to respond is inappropriate in this case because Petitioner faces irreparable harm due to the deprivation of his physical liberty, having been detained since October 22, 2025, without any opportunity for bond or release pending immigration proceedings.

Dated: January 23, 2025



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