

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

MANDEEP SINGH,

Petitioner,

v.

JAMIE RAYE CARNES, et al.,

Respondents.

Case No. 1:26-cv-210-MIS

**SUPPLEMENTAL FILING
IN RESPONSE TO RESPONDENTS'
FAILURE TO RESPOND**

Petitioner, through counsel, respectfully submits this supplemental filing in response to Respondents' failure to respond to his Petition for Writ of Habeas Corpus (Dkt. 1), as ordered by the Court (Dkt. 4).

1. Petitioner filed his Petition for Writ of Habeas Corpus on January 30, 2026, alleging his detention by ICE is unlawful. Dkt. 1.

2. On January 30, 2026, the Court ordered Respondents to respond to the petition within 10 business days, i.e., on or before February 13, 2026. Dkt. 4

3. Respondents failed to file any response or seek an extension of time. Failure to respond to claims in a habeas petition constitutes waiver and permits this Court to grant the requested relief. *See, e.g., Garcia-Henriquez v. Larose*, 2026 WL 323328, at *1, n.1 (S.D. Cal. Feb. 6, 2026); *Diego L. v. Bondi*, 2026 WL 145206, at *3 (D. Minn. Jan. 20, 2026); *F.B. v. Noem*, 2025 WL 3628652, at *1 (D. Ariz. Dec. 4, 2025); *N.A.L.R. v. Bondi*, 2025 WL 2987239, at *3 (S.D. Ind. Oct. 23, 2025).

4. As a sister court in this circuit recently recognized, the proper remedy here is immediate release, since Mr. Singh was previously released on an order of release on recognizance which was never validly rescinded. *See* Dkt. 1 at ¶¶ 8, 80-90, 99; *Singh v. Baltazar*, -- F. Supp. 3d --, 2026 WL 352870, at *2-3 (D. Colo. Feb. 9, 2026) (citing *Singh v. Bondi*, 1:25-cv-2101, 2025 WL 3029524 (S.D. Ind. Oct. 30, 2025)).

WHEREFORE, Petitioner prays this Court grant a writ of habeas corpus and order his immediate release subject to the preexisting terms of his order of release on recognizance.

Dated: February 14, 2026

Respectfully submitted,

/s/ James D. Jenkins
James D. Jenkins (NMD #25-394, WA#63234)
P.O. Box 6373
Richmond, VA 23230
Tel.: (804) 873-8528
jjenkins@valancourtbooks.com

Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed via the Court's CM/ECF system this 14th day of February, 2026, which sent notice of such filing to all parties receiving electronic notice.

/s/ James D. Jenkins
Attorney for Petitioner