

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

JIDIER ANTONIO SAAVEDRA,

Petitioner,

v.

PAM BONDI, et al,

Respondents.

Civil Action No. EP-26-CV-00392-KC

RESPONSE TO SHOW CAUSE ORDER

STATEMENT OF ISSUES

1. Whether there is Jurisdiction in El Paso even though the case was filed while Petitioner was already back in the Middle District of Georgia.
2. How are respondents proceeding in the Middle District of Georgia?

Federal Respondents respectfully respond to the Court's Order to Show Cause. Petitioner was transferred to the Middle District of Georgia prior to the filing of the Petition.

Petitioner is a Cuban national. Order, ECF No. 3 at 1. Under information belief, Petitioner was first detained in Atlanta around March 14, 2025, and was transferred to the Stewart Detention Facility in the Middle District of Georgia on March 17, 2025. Petitioner was then transferred to El Paso on or around January 21, 2026. Petitioner stayed in El Paso from January 21, 2026 until February 6, 2026 when he was transferred back to the Stewart Detention Center. So even though Petitioner indicated he was being held in El Paso, after February 6, 2026, Federal Respondents' records show that he was already back in the Middle District of Georgia on or around February 6, 2026. Petitioner filed his petition in this case on February 11, 2026. ECF No. 3. See notes below:

Detention History										
Person ID		[REDACTED]								
Controlling A-Number:		[REDACTED]								
Name:		Saavedra, Jidier A								
A-Number	Subject ID	Case ID	Book In Date	Book In DCO	Detention Location	Book Out Date	Release / Book Out Type	Days In Custody	Days In Facility	
[REDACTED]	[REDACTED]	[REDACTED]	02/06/2026 1614	STG	STEWART DETENTION CENTER	In Custody		337	8	
			01/21/2026 1940	EPC	ERO EL PASO CAMP EAST MONTANA	02/06/2026 0642	Transferred - STG	337	16	
			03/17/2025 1800	STG	STEWART DETENTION CENTER	01/21/2026 1727	Transferred - EPC	337	310	
			03/17/2025 1002	ATL	ATLANTA DIST. HOLD RM	03/17/2025 1759	Transferred - STG	337	1	
			03/14/2025 1136	ATL	ROBERT A DEYTON DETENTION FAC	03/17/2025 0834	Transferred - ATL	337	3	

On December 22, 2025 Petitioner filed the petition for a writ of habeas corpus with the United States District Court for the Middle District of Georgia, which is styled 4:25-cv-00502-CDL-CHW. At the time of the filing, Petitioner was confined in Stweart Detention Facility. The respondents in that case responded in opposition on January 13, 2026. *Saavedra v. Noem et. al.*, 4:25-cv-00502-CDL-CHW ECF No. 8. The court in the Middle District of Georgia has not taken action regarding the response. *Id.* The Federal Respondents are awaiting the response from the

judge in that case, and will adhere to that ruling, if this court rules it does not have jurisdiction or transfers this case.

I. Based on the records Petitioner was already transferred back to the Middle District of Georgia at the time of filing.

Griffin v. Ebbert, 751 F.3d 288, 290 (5th Cir. 2014) holds that “[j]urisdiction attached on that initial filing for habeas corpus relief, and it was not destroyed by the transfer of petitioner and accompanying custodial change.” However, unlike in *Griffin*, Petitioner was not in El Paso at the time of filing the petition in the Western District of Texas. Petitioner was in the Middle District of Georgia at the time of filing the petition pending before this Court. Accordingly, *Griffin* does not appear to apply.

Furthermore, the Court in *Santiago v. Noem*, No. EP-25-CV-361-KC, 2025 WL 2606118, at *1 (W.D. Tex. Sept. 9, 2025) has held that “many courts recognized that . . . transferring [immigration habeas petitioners] to another judicial district may strip the reviewing court of jurisdiction.” *Id.* at *3; see also *Alves v. U.S. Dep’t of Just.*, No. EP-25-CV-306-KC, 2025 WL 2629763 (W.D. Tex. Sept. 12, 2025). Other courts, including those in this district, have taken the same position. Order, ECF No. 3 at 2-3, 3:26-cv-278-DB (W.D. Tex. Feb. 2, 2026) (citing to *Santiago*, 2025 WL 2629763, at *2-3) (ordering “Petitioner not be removed . . . to a facility *outside the jurisdiction* of the Western District of Texas – El Paso Division” (emphasis added)); *Gamez Lira v. Noem*, No. 1:25-CV-00855-WJ-KK, 2025 WL 2581710 (D.N.M. Sept. 5, 2025) (holding “[t]he Supreme Court has held that habeas relief is available only in the district of confinement” and thus enjoining removal of a petitioner out of the district to retain jurisdiction); *Misirbekov v. Venegas*, 793 F. Supp. 3d 892 (S.D. Tex. 2025).

The Supreme Court has held for habeas petitions, “jurisdiction lies in only one district: the district of confinement.” *Rumsfeld v. Padilla*, 542 U.S. 426, 432 (2004). The Supreme Court

reinforced this holding in April 2025 by stating that “[f]or core habeas petitions,” like the Petition here implying the invalidity of Petitioner’s confinement, “jurisdiction lies in only one district: the district of confinement.” *Trump v. J. G. G.*, 604 U.S. 670, 672 (2025) (internal quotation marks omitted).

Since *J. G. G.*, other district courts determined that when “there was no dispute that the petitioner was no longer confined in [their] District but had been transferred to confinement in” another district—as is the case with Petitioner—courts “no longer had jurisdiction” over habeas petitions and “transfer to [the district of confinement] was appropriate.” *Alberto Rodriguez v. Jeffreys*, No. 8:25CV714, 2025 WL 3754411 (D. Neb. Dec. 29, 2025); *Garcia v. London*, No. 8:25CV624, 2025 WL 3540922, at *1 (D. Neb. Dec. 10, 2025) (“[T]here is no dispute that Petitioner is no longer confined in this District but is now confined in [another district]. Thus, this Court no longer has jurisdiction, and transfer is appropriate.”).

II. The Court should dismiss the Petition for being duplicative or unnecessary or consolidate this case to the Middle District of Georgia.

“Federal courts do . . . retain broad powers to prevent duplicative or unnecessary litigation.” *Slack v. McDaniel*, 529 U.S. 473, 478 (2000). “The federal courts long have recognized that the principle of comity requires federal district courts—courts of coordinate jurisdiction and equal rank—to exercise care to avoid interference with each other’s affairs.” *W. Gulf Mar. Ass’n v. ILA Deep Sea Loc. 24, S. Atl. & Gulf Coast Dist. of ILA, AFL-CIO*, 751 F.2d 721, 728 (5th Cir. 1985). “As between federal district courts, the general principle is to avoid duplicative litigation.” *Id.* “The concern manifestly is to avoid the waste of duplication, to avoid rulings which may trench upon the authority of sister courts, and to avoid piecemeal resolution of issues that call for a uniform result.” *Id.* at 729. “To avoid these ills, a district court may dismiss an action where the issues presented can be resolved in an earlier-filed action pending in another district court.” *Id.* “In

particular, a court may in its discretion dismiss a declaratory judgment or injunctive suit if the same issue is pending in litigation elsewhere.” *Id.* (internal quotation marks omitted). Thus, the Fifth Circuit has held “the court with prior jurisdiction over the common subject matter should resolve all issues presented in related actions.” *Id.* at 730 (internal quotation marks omitted).

“Consistent with these ‘first-filed’ principles, habeas petitions under 28 U.S.C. § 2241 have been dismissed as duplicative of other pending petitions.” *Vetcher v. Sessions*, No. 3:18-CV-1724-K (BH), 2018 WL 4006812, at *2 (N.D. Tex. July 12, 2018), report and recommendation adopted, No. 3:18-CV-1724-K, 2018 WL 4002533 (N.D. Tex. Aug. 21, 2018). The Georgia petition is fully briefed and has been pending before the court there for more than a month. “Because the habeas petition in that case was filed before the initial filing in the present case, this case should be dismissed . . . as duplicative of the petition and issues pending” in the Georgia case. *Vetcher*, 2018 WL 4006812, at *2. The undersigned counsel, communicated with the Respondents in the Middle District of Georgia, and the attorney of record in that case informed him that they intend on continuing to litigate the Writ of Habeas of Habeas Corpus until it is resolved by the court. **Accordingly, the Respondents in the Middle District of Georgia intend to move forward with the case until the judge issues a ruling in that case.**

III. Conclusion

The Court should dismiss or deny the Petition.

Dated: February 17, 2026.

Respectfully submitted,

JUSTIN R. SIMMONS
UNITED STATES ATTORNEY

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Certificate of Service

On February 17, 2026, I directed a copy of this response to be mailed to Petitioner at the below address:

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