

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CUONG BAO QUAN

Petitioner,

v.

J.L. JAMISON, et al.,

Respondents.

Case No. 2:26-cv-2036

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 Respondents’ re-detention of Petitioner and revocation of his Order of Supervision in violation of the Fifth Amendment Due Process Clause, the Immigration and Nationality Act (INA) and implementing regulations, the Administrative Procedure Act (APA), and the *Accardi* doctrine. *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. 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.”

6. 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 7 days after Respondents file the return.

7. Giving Respondents additional time to respond is inappropriate in this case because Petitioner faces irreparable harm due to the deprivation of his liberty as he remains unlawfully detained and separated from his minor children.

DATED: April 8, 2026

Respectfully submitted,

/s/ Mike Geoffino

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[PROPOSED] ORDER TO SHOW CAUSE

Upon consideration of Petitioner's Application for Issuance of Order to Show Cause pursuant to 28 U.S.C. § 2243 and Petitioner's Petition for Writ of Habeas Corpus (Dkt. No. 1).

IT IS HEREBY ORDERED that:

1. Respondents shall file a return on the Order to Show Cause why the Petition for Writ of Habeas Corpus should not be granted by April 11, 2026;

2. Petitioner shall have an opportunity to file a reply by April 18, 2026.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE