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9 Attorneys for Respondents

10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

12  
13 JOSE OSCAR SAJQUIM GUILLERMO,

14 Petitioner,

15 v.

16 OTAY MESA DETENTION CENTER  
17 WARDEN, *et al.*,

18 Respondents.  
19

Case No.: 3:26-cv-02397-RBM-MMP

**RESPONSE TO PETITION**

20  
21 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. However, it is unclear  
22 whether Petitioner filed the Petition on his own behalf or if someone else filed it for him.  
23 For example, the first paragraph of page 1 of the Petition states, “Please find the following  
24 documents submitted on behalf of Mr. Sajquim Guillermo. . .” ECF 1 at page ID 1.  
25 Likewise, page 1 of the Petition uses the plural term “we” as follows, “We respectfully  
26 request prompt review and response to this urgent matter.” Id.

27 Rule 2(c) of the Rules Governing Section 2254 Cases in the United States District  
28 Court provides, in relevant part, “[t]he petition must: . . . (4) be printed, typewritten, or

1 legibly handwritten; and (5) be signed under penalty of perjury by the petitioner or by a  
2 person authorized to sign it for the petitioner under 28 U.S.C. § 2242.” Rule 2(c), 28 U.S.C.  
3 foll. *See also* Rule 1(a), (b), Rules Governing Section 2254 Cases in the United States  
4 District Court (“These rules govern a petition for a writ of habeas corpus filed in a United  
5 States district court under 28 U.S.C. § 2254 . . . The district court may apply any or all of  
6 these rules to a habeas corpus petition not covered by Rule 1(a)”); *Lane v. Feather*, 584  
7 Fed.Appx. 843 (9<sup>th</sup> Cir. 2014) (citing to Rule 1(b) and holding district court did not err in  
8 applying Rules Governing Section 2254 Cases in the United States District Court to a  
9 habeas petition filed under 28 U.S.C. 2241). Likewise 28 U.S.C. § 2242 provides in  
10 relevant part, “Application for a writ of habeas corpus shall be in writing signed and  
11 verified by the person for whose relief it is intended or by someone acting in his behalf.”

12 While the Petition in this matter reflects the Petitioner’s name at the bottom of the  
13 Petition, it is not signed. ECF 1. Respondents therefore respectfully submit that it should  
14 be dismissed by the Court. *See Alazar v. Warden*, No. 26-cv-1388-DMS-BJW, ECF No. 5  
15 (S.D. Cal. Apr. 20, 2026); *Avendano Martinez v. ICE*, No. 26-cv-2328-JES-MSB, 2026  
16 WL 1121932 (S.D. Cal. Apr. 24, 2026). Respondents further state in accordance with the  
17 directive set forth in the Court’s Order to Show Cause entered on 20 April 2026 (ECF 2)  
18 that an evidentiary hearing is not requested.

19 DATED: April 28, 2026

20 Respectfully submitted,

21  
22 ADAM GORDON  
United States Attorney

23 s/ Roger G. Wright  
24 Roger G. Wright  
Special Assistant U.S. Attorney  
25 Michael D. Wallace  
Assistant U.S. Attorney  
26 Attorneys for Respondents  
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