

1 ADAM GORDON
United States Attorney
2 CAMILLE SAVEDRA
Assistant U.S. Attorney
3 California Bar No. 336490
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-5084
Facsimile: (619) 546-7751
6 Email: camille.savedra@usdoj.gov

7 Attorneys for Respondent

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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 DAWIT FISUM KALAYU,
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14 Petitioner,
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16 v.
17 WARDEN OF THE OTAY MESA
18 DETENTION FACILITY,
19
20 Respondent.

Case No.: 26-cv-02394-LL-VET

RESPONSE TO PETITION

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1 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. However, it is unclear
2 whether Petitioner filed the petition on his own behalf or if someone else filed it for him.
3 The petition in this matter is unsigned in violation of Rule 2(c) of the Rules Governing
4 § 2254 Cases, which provides “[t]he petition must: . . . (4) be printed, typewritten, or legibly
5 handwritten; and (5) be signed under penalty of perjury by the petitioner or by a person
6 authorized to sign it for the petitioner under 28 U.S.C. § 2242.” Rule 2(c), 28 U.S.C. foll.
7 § 2254; *see* 8 U.S.C. § 2242 (“Application for a writ of habeas corpus shall be in writing
8 signed and verified by the person for whose relief it is intended or by someone actioning
9 in his behalf.”). As the petition is unsigned, it should be dismissed by the Court. *See Alazar*
10 *v. Warden*, No. 26-cv-1388-DMS-BJW, ECF No. 5 (S.D. Cal. Apr. 20, 2026); *see*
11 *Avendano Martinez v. ICE*, No. 26-cv-2328-JES-MSB, ECF No. 3 (S.D. Cal. Apr. 24,
12 2026).

13 DATED: April 28, 2026

ADAM GORDON
United States Attorney

15 s/ Camille Savedra
16 CAMILLE SAVEDRA
Assistant United States Attorney