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**UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

DONGXING CHI,

Petitioner,

v.

JEREMY CASEY, *et al.*,

Respondents.

Case No. 3:26-cv-03592-AGS-VET

**PETITIONER'S OPPOSITION TO
RESPONDENTS' NOTICE OF
TRANSFER**

Honorable Andrew G. Schopler
United States District Judge

Petitioner Dongxing Chi ("Mr. Chi" or "Petitioner") respectfully requests that this Court retain jurisdiction over this habeas action unless and until Respondents establish, with competent evidence, that this Court lacked jurisdiction at the time the Petition was filed.

Respondents contend that Petitioner was transferred out of the Southern District of California before the Petition was filed and therefore this Court lacks jurisdiction. However, the current record does not establish the jurisdictional facts necessary to support transfer.

It remains unclear under whose custody Petitioner was at the moment of filing. "[T]he default rule is that the proper respondent is the warden of the facility where the prisoner is being held" *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). Respondents assert Petitioner was transferred to the Northern District of Texas "no later than approximately 2:00 p.m.," but provide no declaration, transport records, or other admissible evidence showing the exact time custody

1 transferred, where Petitioner physically was at the relevant moment, or who exercised immediate
2 custody over him when the Petition was filed.

3 Because jurisdiction under 28 U.S.C. § 2241 depends on the identity and location of
4 Petitioner's custodian at the time of filing, the present record is insufficient to determine whether
5 transfer is proper.

6 Accordingly, Petitioner respectfully requests that the Court retain jurisdiction over this
7 matter unless and until the jurisdictional record is fully developed and the issue is clearly resolved.

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10 Dated: June 22, 2026

Respectfully submitted,
Juris Path Law Firm, PC

12 /s/Yunchao Song

Yunchao Song, Esq.

13 Attorneys for Petitioner
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