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

DONGXING CHI,

Petitioner,

v.

JEREMY CASEY; et al.,

Respondents.

Case No.: 26-cv-3592-AGS-VET

**RESPONSE TO PETITIONER'S
OPPOSITION TO TRANSFER**

On June 17, 2026, Petitioner filed a petition for writ of habeas corpus. ECF No. 1. On June 18, 2026, Respondents filed a notice to inform the Court that Petitioner was transferred out of the Southern District of California before Petitioner filed his habeas petition. ECF No. 2. On June 22, 2026, Petitioner filed an opposition to transferring the petition to the Northern District of Texas, where Petitioner is currently detained. ECF No. 7. The Court then ordered Respondents to respond to Petitioner's opposition by 1:00 p.m. today, June 23, 2026. ECF No. 8.

Petitioner's opposition to transfer primarily relies on a lack of "declaration, transport records, or other admissible evidence" regarding when the transfer occurred. *See* ECF No. 7 at 1. In response, Respondents respectfully provide the attached declaration, which states that Petitioner was transferred out of this District at approximately 2:00 p.m. on June 17, 2026. *See* Declaration of Natalie Mendoza, at ¶ 3.

1 Respondents further note that the Court lacks jurisdiction over the petition
2 because the petition fails to name as a respondent the warden of the facility where
3 Petitioner is detained. *See* 28 U.S.C. § 2243 (“The writ, or order to show cause shall be
4 directed to the person having custody of the person detained.”). “[C]ore habeas
5 petitioners challenging their present physical confinement [must] name their immediate
6 custodian, the warden of the facility where they are detained, as the respondent to their
7 petition.” *Doe v. Garland*, 109 F. 4th 1188, 1197 (9th Cir. 2024) (citing *Rumsfeld v.*
8 *Padilla*, 542 U.S. 426, 435 (2004)). “[T]he Court cannot exercise jurisdiction over
9 [Petitioner’s] Petition so long as he fails to name as respondent the warden of the
10 detention facility where he is being detained.” *Mukhamadiev v. U.S. Dep’t of Homeland*
11 *Security*, No. 25-cv-1017-DMS-MSB, 2025 WL 1208913, at *3 (S.D. Cal. Apr. 25,
12 2025).

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14 DATED: June 23, 2026

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