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Pro Bono Attorney for Petitioner

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ELZHIGIT NURBEKOV,

Petitioner,

v.

CHRISTOPHER J. LAROSE, et.al.,

Respondents.

Case No.: 26-cv-4600-JES-DDL

RESPONSE TO NOTICE OF RELATED CASE

This court must retain jurisdiction of the present Habeas Corpus petition. According to *Rumsfeld v. Padilla* "The plain language of the habeas statute thus confirms the general rule that for core habeas petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement." *Rumsfeld v. Padilla,* 542 U.S. 426, 443, 159 L.Ed.2d 513 (2004); *see also Lopez-Marroquin v. Barr,* 955 F.3d 759, 760 (9th Cir. 2020).

Petitioner disclosed the pending Habeas Corpus petition in the Arizona District Court in his initial filing to highlight Respondents ongoing violation of his due process rights. (Doc. 1 at 2, 9.) Respondents were aware of the pending Habeas Corpus petition in the District of Arizona and

before that court took a decision, Respondents transferred the Petitioner from San Luis Regional Detention Center to Otay Mesa Detention Center ("OMDC") stripping the District of Arizona of jurisdiction over the case.

Petitioner does not have any power regarding his place of confinement. If this court does not retain jurisdiction over the case and, in addition to Petitioner's final request regarding release, does not order the Respondents not to transfer Petitioner outside this district while he is in detention, the lack of action would cause prejudice to the Petitioner. Moreover, Respondents can continue transferring the Petitioner to different districts; thus, depriving the petitioner of a resolution regarding his habeas corpus petition.

Additionally, the parties in the present Habeas Corpus petition are different, as the immediate custodian, Christopher J. Larose, Warden, Otay Mesa Detention Center, is not a party in the Habeas Corpus petition pending in the Arizona District Court.

Because Petitioner is physically confined at OMDC, jurisdiction lies in the present District Court in the Southern District of California.

Dated: August 13, 2026

Respectfully Submitted,

By: /s/ Rocio Sanchez Flores
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