

United States District Court
Western District of Texas
Austin Division

Guisheng Li,
Petitioner,

v.

Phillip Valdez, Warden of Eden Detention
Facility, et al ,

Respondents.

No. 1:26-cv-00141-ADA-SH

Motion to Dismiss for Lack of Jurisdiction

On January 20, 2026 Petitioner filed a writ of habeas corpus in the Austin Division of the Western District of Texas. ECF 1. Jurisdiction is not proper in the Western District of Texas. Petitioner is detained in Eden Detention Center in Eden, Concho County, Texas which is within the Northern District of Texas. He has been in Eden since December 9, 2025. Prior to that Petitioner was located in Blue Bonnett detention facility in Anson, Texas, also in the Northern District of Texas. Jurisdiction is not proper here and this petition should be dismissed.

Under 28 U.S.C. § 2241, a court can extend a writ of habeas corpus to an individual who “is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c); see also *Zadvydas v. Davis*, 533 U.S. 678, 688 (2001) (“We conclude that § 2241 habeas corpus proceedings remain available as a forum for statutory and constitutional challenges to post-removal-period detention.”). However, district courts are limited to granting habeas relief within their jurisdictions. See *Rumsfeld v. Padilla*, 542 U.S. 426, 442 (2004). In habeas proceedings courts have jurisdiction over the custodian. *Id.* When a habeas petitioner challenges physical custody within the United States, the default rule is that the petition be filed in the district of confinement. *Id.* Since Petitioner is detained within the territorial jurisdiction of the Northern District of Texas, there is no habeas jurisdiction under 2241 in the Western District of Texas. *Id.*

Transfer to the district of confinement with appropriate jurisdiction may be an available remedy if it furthers the interests of justice and the court deems that appropriate. See 28 U.S.C. § 1631.

Respectfully submitted,

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