

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GAGANDEEP SINGH,

Petitioner,

v.

DORA CASTRO, *et al.*,

Respondents.

Case No. 26-cv-168-JB-JFR

MOTION TO CLARIFY

Petitioner, through counsel, moves this Court for an order clarifying its Order to Show Cause (Dkt. 5). In support thereof, Petitioner respectfully suggests the following:

1. Petitioner Gagandeep Singh filed his Petition for Writ of Habeas Corpus (Dkt. 2) on January 28, 2026, alleging that his detention by ICE violates the Immigration and Nationality Act and his due process rights.

2. On January 29, 2026, this Court entered an order to show cause (Dkt. 5), directing the Clerk to serve the Petition on Respondents by certified mail and mandating a response “within five (5) days of receipt of service.”

3. The Clerk’s docket entry (Dkt. 6) indicates that the Petition was not served by certified mail as the Court ordered, but instead electronically, in accordance with the Standing Order in 26-MC-00004-03 (Doc. 3). As a result, either the response deadline was February 6, 2026 (five days after electronic service), or else the Court’s Order to Show Cause is tied to an impossible event (five days after service that apparently will never occur).

4. The Standing Order mandates a response within 10 business days of electronic

service. Therefore, Petitioner respectfully asks the Court to order a response within 10 business days of January 30, 2026, the date the Petition was electronically served. That would make a response due by Friday, **February 13, 2026**.

WHEREFORE, Petitioner prays this Court clarify its Order to Show Cause to make clear whether electronic service is sufficient as provided in this District's Standing Order, and to specify when Respondents' response is due, and for such other relief as the Court deems just and proper.

Dated: February 8, 2026

Respectfully submitted,

/s/ James D. Jenkins

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed via the Court's CM/ECF system this 8th day of February, 2026, which sent electronic notice to all parties receiving such notice.

/s/ James D. Jenkins

Attorney for Petitioner