

1 ADAM GORDON
United States Attorney
2 MICHAEL D. WALLACE
Assistant U.S. Attorneys
3 California State Bar No. 9912160256
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-8714
Email: Michael.Wallace4@usdoj.gov

6 Attorneys for Respondents

7 UNITED STATES DISTRICT COURT
8 SOUTHERN DISTRICT OF CALIFORNIA

9 MUHAMMAD AMIR NAZIR,

10 Petitioner,

11 v.

12 WARDEN, Otay Mesa Detention Center, *et*
al.,

13 Respondents.
14
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Case No. 26-cv-1378-RBM-DEB

**RESPONDENTS' MOTION TO
VACATE ORDER TO SHOW
CAUSE**

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17 On March 4, 2026, Petitioner, a national and citizen of Pakistan, filed a petition
18 for writ of habeas corpus pursuant to 28 U.S.C. § 2241 in which he challenges the length
19 of his detention by Immigration and Customs Enforcement (ICE). ECF No. 1.¹
20 Petitioner is subject to an order of removal that became final on December 25, 2025.
21 The San Diego Field Office of ICE Enforcement and Removal Operations (ERO) has
22 obtained a travel document authorizing Petitioner's travel to Pakistan, and ERO has

23 ¹ Petitioner is a native and citizen of Pakistan with legal status in South Africa, who
24 attempted to enter the United States at the San Ysidro Point of Entry, California, on
25 December 25, 2025.¹ Exhibit 1 (I-213). Petitioner did not then have any valid entry
26 documents to enter the United States and had not been admitted or paroled into the
27 United States. He was determined to be inadmissible under 8 U.S.C.
28 § 1182(a)(7)(A)(i)(I). A Notice of Order of Expedited Removal issued the same day
pursuant to 8 U.S.C. 1225(b)(1). Immigration and Customs Enforcement's (ICE) placed
Petitioner into custody pursuant to 8 U.S.C. § 1231(a).

1 scheduled Petitioner for a transfer flight to occur no sooner than **April 1, 2026**, and has
2 scheduled a removal flight to occur soon thereafter.² However, on March 4, 2026, the
3 Court issued an Order to Show Cause (“Order”) in which the Court: (1) ordered
4 Respondents to respond to the petition by March 11, 2026; (2) ordered Petitioner to file
5 any reply by March 18, 2026; and (3) enjoined Respondents from transferring Petitioner
6 outside of the Southern District of California pending a ruling on this matter. ECF No.
7 2.

8 Based on the foregoing, Respondents request that the Court: (1) vacate the
9 portion of the Order enjoining transfer of the Petitioner outside of the Southern District
10 of California; (2) confirm that Respondents are *not* precluded from removing Petitioner
11 to Pakistan during the pendency of this habeas action; and (3) require that Respondents
12 provide a status to the Court by April 10, 2026.

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14 Dated: March 24, 2026

Respectfully submitted,

15 ADAM GORDON
16 United States Attorney

17 s/ Michael D. Wallace
18 MICHAEL D. WALLACE
19 Assistant United States Attorney
20 Attorney for Respondents
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28 ² Respondents respectfully note that the 90-day removal period has not lapsed as of the date of this filing. *See Zadvydas v. Davis*, 533 U.S. 678, 682 (2001).