

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

LILIAN PAHOLA CALDERON)	
JIMENEZ,)	
Petitioner,)	
)	
v.)	C.A. No. 18-10225-MLW
)	
KIRSTJEN M. NIELSEN, ET AL.,)	
Respondents.)	

ORDER

WOLF, D.J.

February 6, 2018

Lilian Pahola Calderon Jimenez's Petition for Writ of Habeas Corpus under 28 U.S.C. §2241 was filed on February 5, 2018. As the United States is evidently the real adverse party and the cases involve the same or similar claims, it appears that this case was properly designated by petitioner as related to Arriaga-Gil v. Tompkins, C.A. No. 17-10743-MLW and De Oliveira v. Moniz, et al., C.A. No. 18-10150-MLW. See L. R. 40.1(G)(1). Therefore, it was assigned to this court.

Calderon Jimenez alleges that she is being unlawfully detained without due process by United States Immigration and Customs Enforcement ("ICE"). She represents that she was taken into ICE custody on January 17, 2018, when she appeared at an office of United States Citizenship and Immigration Services for an interview as part of her efforts to correct deficiencies in her immigration status and become a lawful permanent resident.

Calderon Jimenez seeks immediate release from custody and a stay of her removal until the issues concerning whether she should be allowed to remain in the United States permanently are finally determined.

In view of the foregoing, it is hereby ORDERED that:

1. The Clerk of this Court shall serve forthwith a copy of the petition (Docket No. 1) upon respondents and the United States Attorney for the District of Massachusetts.

2. The parties, including the United States, shall confer and, by February 12, 2018, report, jointly if possible, but separately if necessary: (a) whether they have reached an agreement to resolve this case; and, if not, (b) whether they request more time to continue their discussions and/or for briefing than provided in paragraph 3 of this Order.

3. Unless otherwise ordered, the petitioner shall, by February 14, 2018, file a memorandum and affidavit(s) in support of the petition. Respondents shall, by February 16, 2018, file a memorandum and affidavit(s) in opposition to the petition.

4. Unless otherwise ordered, a hearing on the petition shall be held on February 21, 2018, at 10:00 a.m.

5. In order to preserve the court's jurisdiction, to provide the parties an opportunity to attempt to resolve this case

and, if necessary, to brief the issues properly, petitioner shall not be moved outside the District of Massachusetts, temporarily or permanently, during the pendency of this case. See 28 U.S.C. §1651(a) ("[A]ll courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law."). This requirement may be reconsidered by the court sua sponte or upon motion by either party.


UNITED STATES DISTRICT JUDGE