

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

AHMED HASSAN ALI,
a/k/a Ahmed Warsame,

Civil No. 03-3189 (DWF/JSM)

Petitioner,

v.

**ORDER DIRECTING RESPONDENT
TO SHOW CAUSE WHY WRIT
SHOULD NOT BE GRANTED**

MARK CANGEMI, Interim District Director,
Bureau of Immigration and
Customs Enforcement,

Respondent.

Petitioner, a prisoner at the Rush City Correctional Facility in Rush City, Minnesota, has filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. He claims that he is being detained by the United States Bureau of Immigration and Customs Enforcement, in violation of his rights under federal law and the Constitution.

Respondent is directed to make a return in writing within 20 days from the date of this order, certifying the true cause of Petitioner's detention, and showing cause why the writ should not be granted.

The return shall be filed with the Court and shall include:

1. Such affidavits and exhibits as are needed to establish the lawfulness of Petitioner's incarceration;
2. A reasoned memorandum of law and fact setting forth Respondent's legal position on the merits of the petition, and Respondent's recommendation as to the need for an evidentiary hearing in this matter;

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FILED
RICHARD D. SLETTEN, CLERK
JUDGMENT ENTD.
DEPUTY CLERK


3. Certified copies of any court records, administrative records, or prison records that may be germane to the issues raised in the petition.

Absent compliance with this order within the 20-day time period, the Court will entertain a motion to grant the relief prayed for in the petition. Upon the filing of Respondent's return, the parties shall await the further order of this Court.

Based on the foregoing, and on all of the premises and proceedings of record, IT IS HEREBY ORDERED that:

Respondent is directed to file a return as described herein within 20 days after the date of this order.

Dated: May 20, 2003


JANIE S. MAYERON
United States Magistrate Judge