

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Angel D.M. v. Kristi Noem et al.

Angel D.M. · No. 1:25-cv-01806-KES-EPG (HC) · Decided December 23, 2025

SUMMARY

The United States District Court for the Eastern District of California grants petitioner Angel D.M.’s motion for a preliminary injunction in a habeas action challenging detention under 8 U.S.C. § 1225(b)(2)(A). The court concludes that the mandatory-detention provision does not apply to a noncitizen who entered the United States more than 30 years earlier and is not actively seeking admission, and that detention is instead governed by 8 U.S.C. § 1226(a). The court orders immediate release, subject to advance notice and a pre-deprivation bond hearing if the government seeks to re-detain petitioner.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 23, 2025
DOCKET	1:25-cv-01806-KES-EPG (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief and moved for a temporary restraining order challenging his detention under 8 U.S.C. § 1225(b)(2)(A). The court converted the motion to one for a preliminary injunction and granted it.
STANDARD OF REVIEW	A preliminary injunction requires a showing that the movant is likely to succeed on the merits, likely to suffer irreparable harm without relief, that the balance of equities favors relief, and that an injunction is in the public interest. If the movant raises serious questions on the merits, relief may issue when the balance of hardships tips sharply in the movant's favor and the remaining Winter factors are satisfied.
PRECEDENTIAL VALUE	unpublished district-court interlocutory order; precedential status unknown
PARTIES	Angel D.M. v. Kristi Noem, Secretary of the United States Department of Homeland Security, Pamela Bondi, Attorney General of the United States, Christopher Chestnut, Administrator of California City

Detention Facility, Sergio Albarran, Acting Field Office Director of the
San Francisco Immigration and Customs Enforcement Office, U.S.
Department of Homeland Security, U.S. Department of Justice

TOPICS

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statutory interpretation

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QUESTIONS PRESENTED

1. Whether a noncitizen who entered the United States more than thirty years earlier and is already present in the country is an alien seeking admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A).
2. Whether petitioner was likely to succeed on his claim that detention under § 1225(b)(2)(A) violated the Immigration and Nationality Act.
3. Whether petitioner satisfied the requirements for a preliminary injunction.
4. What interim remedy was appropriate if the government sought to detain petitioner under a different statutory provision.

HOLDINGS

1. Section 1225(b)(2)(A) does not apply to a noncitizen who entered the United States more than thirty years earlier and is not actively seeking lawful entry; such a person is instead subject to the default detention framework of § 1226(a), which permits a bond hearing.
2. Petitioner satisfied the requirements for a preliminary injunction because he was likely to succeed on the merits, faced irreparable deprivation of liberty, and the balance of hardships and public interest favored relief.
3. The government had to release petitioner immediately; if it sought to re-detain him, it had to provide at least seven days' notice and conduct a pre-deprivation bond hearing before a neutral arbiter under § 1226(a) and its implementing regulations.

KEY QUOTATIONS

“A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” (at 5)

“The Court agrees with the analysis in Martinez and Lopez Benitez finding that the phrase “seeking admission” means the noncitizen must be actively “seeking” “lawful entry.”” (at 6)

“If the government seeks to re-detain petitioner, it must provide no less than seven (7) days’ notice to petitioner and must hold a pre-deprivation bond hearing before a neutral arbiter pursuant to section 1226(a) and its implementing regulations, at which petitioner’s eligibility for bond must be considered.” (at 11)

FACTUAL BACKGROUND

Petitioner, a Mexican citizen who entered the United States in 1990 and had lived there for more than thirty years, applied to adjust his status in 2024. ICE arrested him at a USCIS interview on November 25, 2025, issued a notice to appear charging him as present without admission or parole, and detained him at California City Detention Center. The government relied on a new interpretation under which noncitizens present in the United States without admission or parole are applicants for admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A), rather than discretionary detention and a bond hearing under § 1226(a).

PROCEDURAL HISTORY

Petitioner filed a petition for a writ of habeas corpus on December 10, 2025, and moved for a temporary restraining order on December 13, 2025. Respondents opposed the motion but did not object to conversion to a preliminary injunction and did not request a hearing. The court granted preliminary injunctive relief, ordered immediate release, and referred the matter to the assigned magistrate judge for further proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondents must release petitioner immediately. If respondents seek to re-detain petitioner, they must provide at least seven days' notice and conduct a pre-deprivation bond hearing before a neutral arbiter under 8 U.S.C. § 1226(a) and its implementing regulations. The matter was referred to the assigned magistrate judge for further proceedings, including findings and recommendations on the habeas petition or other appropriate action.

CASES CITED

- L. v. Lamarque, 351 F.3d 919, 924 (9th Cir. 2003)
- McElyea v. Babbitt, 833 F.2d 196, 197-98 (9th Cir. 1987)
- Stuhlberg International Sales Co. v. John D. Bush & Co., 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 24 (2008)
- Munaf v. Geren, 553 U.S. 674, 689-90 (2008)
- Amoco Production Co. v. Village of Gambell, Alaska, 480 U.S. 531, 542 (1987)
- Weinberger v. Romero-Barcelo, 456 U.S. 305, 311-12 (1982)
- Simon v. City and County of San Francisco, 135 F.4th 784, 797 (9th Cir. 2025)
- Environmental Protection Information Center v. Carlson, 968 F.3d 985, 989 (9th Cir. 2020)
- Jennings v. Rodriguez, 583 U.S. 281, 287-89 (2018)
- Gomes v. Hyde, 2025 WL 1869299, at *2, *5 (D. Mass. July 7, 2025)

- Lopez Benitez v. Francis, 2025 WL 2371588, at *3, *5-*8, *10 (S.D.N.Y. Aug. 13, 2025)
- Hernandez v. Sessions, 872 F.3d 976, 982, 996 (9th Cir. 2017)
- In re Guerra, 24 I. & N. Dec. 37, 38 (BIA 2006)
- Aquino v. LaRose, 2025 WL 3158676, at *3 (S.D. Cal. Nov. 12, 2025)
- Martinez v. Hyde, 2025 WL 2084238, at *2, *6 (D. Mass. July 24, 2025)
- Lopez-Campos v. Raycraft, 2025 WL 2496379, at *6, *9-*10 (E.D. Mich. Aug. 29, 2025)
- United States ex rel. Polansky v. Executive Health Resources, Inc., 599 U.S. 419, 432 (2023)
- Montclair v. Ramsdell, 107 U.S. 147, 152 (1883)
- League of California Cities v. Federal Communications Commission, 118 F.4th 995, 1019 (9th Cir. 2024)
- NLRB v. Aakash, Inc., 58 F.4th 1099, 1105 (9th Cir. 2023)
- Posos-Sanchez v. Garland, 3 F.4th 1176, 1183 (9th Cir. 2021)
- Stone v. I.N.S., 514 U.S. 386, 397 (1995)
- Marx v. General Revenue Corp., 568 U.S. 371, 386 (2013)
- Romero v. Hyde, 2025 WL 2403827, at *11-*13 (D. Mass. Aug. 19, 2025)
- Valencia Zapata v. Kaiser, 2025 WL 2741654, at *12 (N.D. Cal. Sept. 26, 2025)
- Ferrara v. United States, 370 F. Supp. 2d 351, 360 (D. Mass. 2005)
- Baird v. Bonta, 81 F.4th 1036, 1040 (9th Cir. 2023)
- Doe v. Becerra, 2025 WL 691664, at *6 (E.D. Cal. Mar. 3, 2025)
- Lopez v. Heckler, 713 F.2d 1432, 1437 (9th Cir. 1983)
- Diaz v. Kaiser, 2025 WL 1676854, at *3 (N.D. Cal. June 14, 2025)
- Jorge M.F. v. Wilkinson, 2021 WL 783561, at *3 (N.D. Cal. Mar. 1, 2021)
- GoTo.com, Inc. v. Walt Disney Co., 202 F.3d 1199, 1210 (9th Cir. 2000)