

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, FORT MYERS DIVISION

Raymundo Flores Castizo v. Pamela Bondi et al.

No. 2:25-cv-01087-SPC-DNF (M.D. Fla. Dec. 10, 2025) · No. 2:25-cv-01087-SPC-DNF · Decided December 10, 2025

SUMMARY

The United States District Court for the Middle District of Florida grants Raymundo Flores Castizo’s petition for a writ of habeas corpus challenging his detention without an immigration bond hearing. The court holds that 8 U.S.C. § 1226(a), rather than § 1225(b)(2), governs his detention and orders the respondents to provide an individualized bond hearing or release him under reasonable conditions by December 20, 2025.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	December 10, 2025
DOCKET	2:25-cv-01087-SPC-DNF
DISPOSITION	granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus challenging immigration detention without a bond hearing under 28 U.S.C. § 2241.
PRECEDENTIAL VALUE	Unpublished district court opinion; limited precedential value.
PARTIES	Raymundo Flores Castizo v. Pamela Bondi et al.

TOPICS

- immigration detention
- federal habeas corpus
- subject matter jurisdiction
- immigration
- remedies

PRACTICE AREAS

- immigration law
- federal habeas corpus
- immigration detention
- civil procedure

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(g) or § 1252(b)(9) deprived the district court of jurisdiction over Flores Castizo's habeas claims.
2. Whether exhaustion of administrative remedies should be excused as futile.
3. Whether Flores Castizo's detention was governed by 8 U.S.C. § 1225(b)(2) or § 1226(a).
4. Whether a noncitizen detained under § 1226(a) is entitled to an individualized bond hearing before an immigration judge.

HOLDINGS

1. The district court has jurisdiction over Flores Castizo's habeas challenge because the action falls outside the scope of § 1252(g) and § 1252(b)(9).
2. Any exhaustion requirement is excused because exhaustion would be futile.
3. Flores Castizo's detention is governed by 8 U.S.C. § 1226(a), rather than 8 U.S.C. § 1225(b)(2).
4. A noncitizen detained under 8 U.S.C. § 1226(a) is entitled to a bond hearing before an immigration judge.

KEY QUOTATIONS

“As a noncitizen detained under § 1226(a), Flores Castizo has a right to a bond hearing.”

FACTUAL BACKGROUND

Flores Castizo, a native and citizen of Mexico, entered the United States without inspection in 2006 and has substantial family ties in the United States. He has no criminal record apart from minor traffic violations. After a November 2, 2025 traffic-stop arrest, ICE served him with an arrest warrant and notice to appear and detained him without a bond hearing. ICE later transferred him from Alligator Alcatraz in Florida to Pearsall, Texas.

PROCEDURAL HISTORY

Flores Castizo filed a habeas petition challenging his detention by Immigration and Customs Enforcement without a bond hearing. The government responded and Flores Castizo replied. After the petition was filed, ICE transferred him from Florida to Texas. The court granted the petition and ordered the respondents either to provide an individualized bond hearing before an immigration judge or release him under reasonable conditions of supervision.

DISPOSITION

granted

REMAND INSTRUCTIONS

On or before December 20, 2025, respondents must either bring Flores Castizo before an immigration judge for an individualized bond hearing or release him under reasonable conditions of supervision. If released,

respondents must facilitate his transportation from the detention facility by notifying counsel when and where he may be collected.

CASES CITED

- Hinojosa Garcia v. Noem, No. 2:25-cv-879-SPC-NPM, 2025 WL 3041895 (M.D. Fla. Oct. 31, 2025)
- Vasquez Carcamo v. Noem, 2:25-cv-922-SPC-NPM, 2025 WL 3119263 (M.D. Fla. Nov. 7, 2025)
- Jennings v. Rodriguez, 583 U.S. 281, 306 (2018)

OPINION

Raymundo Flores Castizo v. Pamela Bondi et al.

PER CURIAM.

UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA

FORT MYERS DIVISION

RAYMUNDO FLORES CASTIZO,

Petitioner, v. Case No.: 2:25-cv-01087-SPC-DNF PAMELA BONDI et al., Respondents, /

OPINION AND ORDER

Before the Court are Raymundo Flores Castizo’s Petition for Writ of Habeas Corpus (Doc. 1), the government’s response (Doc. 6), and Flores Castizo’s reply (Doc. 7). For the below reasons, the Court grants the petition. Flores Castizo is a native and citizen of Mexico who entered the United States without inspection in 2006. He has deep family ties to the United States, including his parents, a U.S. citizen son, and DACA-recipient siblings, and he has no criminal record, except for minor traffic violations. On November 2, 2025, local law enforcement arrested Flores Castizo during a traffic stop. Immigration and Customs Enforcement (“ICE”) served Flores Castizo with an arrest warrant and a notice to appear and detained him at Alligator Alcatraz without a bond hearing. After Flores Castizo filed his petition, ICE transferred him to Pearsall, Texas. The core of the dispute before this Court is whether 8 U.S.C. § 1225(b)(2) or § 1226(a) of the Immigration and Nationality Act (“INA”) applies to Flores Castizo. The distinction matters because § 1225(b)(2) mandates detention, while aliens detained under § 1226(a) have the right to a bond hearing before an immigration judge. Flores Castizo asks the Court to order the respondents to either release him or provide a prompt bond hearing. The respondents argue (1) 8 U.S.C. § 1252(g) and (b)(9) strip the Court of jurisdiction over the petitioner’s claims, (2) the petitioner failed to exhaust available administrative remedies, and (3) the petitioner is properly detained under § 1225 and is not eligible for a bond hearing. As the respondents acknowledge, the Court rejected their arguments in recent cases that presented the same issues, *Hinojosa Garcia v. Noem*, No. 2:25-cv-879-SPC- NPM, 2025 WL 3041895 (M.D. Fla. Oct. 31, 2025) and *Vasquez Carcamo v. Noem*, 2:25-cv-922-SPC-NPM, 2025 WL 3119263 (M.D. Fla. Nov. 7, 2025). The Court’s reasons for granting habeas relief in those cases apply equally here. As the Court explained in *Hinojosa Garcia* and *Vasquez Carcamo*, it has jurisdiction because this action falls outside the scope of § 1252(g) and (b)(9), and

exhaustion is excused because it would be futile. And like the petitioners in those cases, Flores Castizo's detention is governed by § 1226(a), not § 1225(b)(2). As a noncitizen detained under § 1226(a), Flores Castizo has a right to a bond hearing. See *Jennings v. Rodriguez*, 583 U.S. 281, 306 (2018) ("Federal regulations provide that aliens detained under § 1226(a) receive bond hearings at the outset of detention.") (citing 8 C.F.R. §§ 236.1(d)(1), 1236.1(d)(1)). Accordingly, it is hereby ORDERED: Raymundo Flores Castizo's Petition for Writ of Habeas Corpus (Doc. 1) is GRANTED.

(1) On or before December 20, 2025, the respondents shall either (1) bring Flores Castizo for an individualized bond hearing before an immigration judge or (2) release Flores Castizo under reasonable conditions of supervision. If the respondents release Flores Castizo, they shall facilitate his transportation from the detention facility by notifying his counsel when and where he may be collected.

(2) The Clerk is DIRECTED to terminate any pending motions and deadlines, enter judgment, and close the case. DONE AND ORDERED in Fort Myers, Florida on December 10, 2025.

UNITED STATES DISTRICT JUDGE

SA: FTMP-1