

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

E.O.P. v. Tonya Andrews, Facility Administrator of Golden State
Annex, et al.

E.O.P. v. Andrews · No. 1:25-cv-00721-KES-SKO (HC) · Decided September 11, 2025

SUMMARY

In this habeas proceeding under 28 U.S.C. § 2241, an immigration detainee challenged his prolonged mandatory detention under 8 U.S.C. § 1226(c) without an individualized bond hearing. The United States Magistrate Judge applied the Mathews v. Eldridge due process framework and concluded that the government's interests outweighed the petitioner's interest in release, particularly because removal was imminent and the petitioner had an extensive criminal history. The court recommended granting respondents' motion to dismiss and denying the petition, subject to a 21-day objection period.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 11, 2025
DOCKET	1:25-cv-00721-KES-SKO (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 from continued immigration detention without an individualized bond hearing. Respondents moved to dismiss, and the magistrate judge issued findings and a recommendation that the motion be granted and the petition denied.
STANDARD OF REVIEW	The petition was subject to summary dismissal under Rule 4 of the Rules Governing Section 2254 Cases, applicable to § 2241 petitions through Rule 1(b), when it plainly appeared from the petition and attached exhibits that the petitioner was not entitled to relief. The court evaluated the Fifth Amendment claim under the three-factor Mathews v. Eldridge framework.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

E.O.P., Petitioner v. Tonya Andrews, Facility Administrator of Golden State Annex, et al., Respondents

TOPICS

immigration detention federal habeas corpus procedural due process removal proceedings
motions to dismiss

PRACTICE AREAS

immigration detention federal habeas corpus constitutional law civil procedure

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction under 28 U.S.C. § 2241 to consider Petitioner's constitutional challenge to his immigration detention.
2. Whether Petitioner's approximately three-year detention under 8 U.S.C. § 1226(c), without an individualized bond hearing, violated procedural due process under the Fifth Amendment.
3. Whether the petition should be summarily dismissed under Rule 4 of the Rules Governing Section 2254 Cases, as applied to § 2241 petitions.

HOLDINGS

1. The district court had jurisdiction under 28 U.S.C. § 2241 because Petitioner's challenge concerned the legality of his immigration detention and was sufficiently independent of the merits of the removal order.
2. Section 1226(c) mandates detention of an alien within its scope and permits release before the conclusion of removal proceedings only under the statute's witness-protection exception.
3. On the facts presented, Petitioner's continued detention without an individualized bond hearing did not violate the Fifth Amendment because the Mathews factors favored the government's interests in continued detention pending imminent removal.
4. Petitioner was not entitled to a bond hearing under the Ninth Circuit's former six-month bright-line rule because the Supreme Court rejected that statutory interpretation in Jennings.

KEY QUOTATIONS

“Thus, the Supreme Court held that “§ 1226(c) mandates detention of any alien falling within its scope and that detention may end prior to the conclusion of removal proceedings ‘only if’ the alien is released for witness-protection purposes.”” (at 4)

“Under the Mathews test, the “identification of the specific dictates of due process generally requires consideration of three distinct factors.”” (at 7)

“The Court finds that Petitioner’s continued detention without mandating a bond hearing before an IJ at this time does not violate his Fifth Amendment due process rights and will recommend denying the petition.” (at 12)

FACTUAL BACKGROUND

Petitioner, a Honduran citizen, entered the United States without inspection and was convicted in 2012 of voluntary manslaughter, receiving a sixteen-year sentence. After his release from prison on September 22, 2022, DHS detained him under the mandatory-detention provisions of 8 U.S.C. § 1226(c), and he remained detained for approximately three years. Although he initially requested a bond hearing before an immigration judge, he withdrew that request; his removal order was affirmed by the BIA, his petition for review was denied by the Ninth Circuit on June 24, 2025, and removal was considered imminent. The court concluded that the length of detention, the absence of a bond hearing, and Petitioner's private interest in liberty were outweighed by his own litigation-related delay, imminent removal, criminal history, and the government's interests in public safety and effectuating removal.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition on June 12, 2025. Respondents moved to dismiss on July 24, 2025, and Petitioner opposed on August 21, 2025. The magistrate judge recommended dismissal of the petition and denial of habeas relief, subject to a 21-day objection period and review by the assigned district judge.

DISPOSITION

other

CASES CITED

- Lopez-Mar roquin v. Barr, 955 F.3d 759, 759 (9th Cir. 2020)
- Singh v. Holder, 638 F.3d 1196, 1208, 1211-12 (9th Cir. 2011)
- Demore v. Kim, 538 U.S. 510, 517, 521, 527-31 (2003)
- Jennings v. Rodriguez, 583 U.S. 281, 296, 303-04 (2018)
- Reno v. Flores, 507 U.S. 292, 306 (1993)
- Zadvydas v. Davis, 533 U.S. 678, 690-91, 697, 699, 701 (2001)
- Carlson v. Landon, 342 U.S. 524, 538 (1952)
- Rodriguez v. Robbins, 804 F.3d 1060 (9th Cir. 2015)
- Rodriguez v. Marin, 909 F.3d 252, 256 (9th Cir. 2018)
- Diop v. ICE/Homeland Sec., 656 F.3d 221, 235 (3d Cir. 2011)
- German Santos v. Warden Pike Cnty. Corr. Facility, 965 F.3d 203, 210-11 (3d Cir. 2020)
- Diep v. Wofford, 1:24-cv-01238-SKO, 2025 WL 604744 (E.D. Cal. Feb. 25, 2025)
- A.E. v. Andrews, 1:25-cv-00107-KES-SKO, 2025 WL 1424382 (E.D. Cal. May 16, 2025)
- Aroldo Rodriguez Diaz v. Merrick Garland, Rodriguez Diaz v. Garland, 53 F.4th 1189, 1206-13 (9th Cir. 2022)
- Dusenbery v. United States, 534 U.S. 161, 168 (2002)
- Jensen v. Garland, 2023 WL 3246522, at *4 (C.D. Cal. 2023)
- Galdillo v. U.S. Dep't of Homeland Sec., 2021 WL 4839502, at *3 (C.D. Cal. 2021)

- Jimenez v. Wolf, 2020 WL 510347, at *3 (N.D. Cal. 2020)
- Riego v. Scott, 2025 WL 660535 (E.D. Cal. 2025)
- Gonzalez v. Bonnar, 2019 WL 330906, at *5 (N.D. Cal. 2019)
- Prieto-Romero v. Clark, 534 F.3d 1053, 1062-65 (9th Cir. 2008)
- Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014)

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