

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO

Reinel Mederos-Ortega v. Pam Bondi, et al.

Mederos-Ortega · No. Civ. No. 26-802-KG-JFR · Decided March 18, 2026

SUMMARY

The United States District Court for the District of New Mexico orders the United States Attorney’s Office to answer a pro se immigration detainee’s petition for habeas corpus under 28 U.S.C. § 2241. The court denies the petitioner’s motion for release without prejudice, sets deadlines for the response and any reply, and requires payment of the filing fee or submission of an in forma pauperis motion.

CASE DETAILS

COURT	United States District Court for the District of New Mexico
WRITING FOR THE COURT	Kenneth J. Gonzales
DECIDED	March 18, 2026
DOCKET	Civ. No. 26-802-KG-JFR
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 by an immigration detainee; the court ordered Respondents to answer and denied Petitioner's motion for release without prejudice.
STANDARD OF REVIEW	For the requested temporary restraining order or preliminary relief, the petitioner must establish a likelihood of success on the merits, likely irreparable harm absent relief, and that the balance of equities and public interest favor relief. The court accepted the petition's factual allegations as true for purposes of requiring an answer.
PRECEDENTIAL VALUE	Unknown; district court order designated per curiam, with no reporter citation or precedential designation stated.
PARTIES	Reinel Mederos-Ortega v. Pam Bondi, et al.

TOPICS

- federal habeas corpus
- immigration detention
- removal proceedings
- injunctions
- immigration

PRACTICE AREAS

- Immigration law
- Federal habeas corpus
- Immigration detention

QUESTIONS PRESENTED

1. Whether the petition stated allegations warranting an answer from the government.
2. Whether Petitioner was entitled to immediate release under the standards governing temporary restraining orders or preliminary relief.
3. Whether *Zadvydas v. Davis* applied to Petitioner's detention while his removal order was still on appeal.

HOLDINGS

1. Accepting the petition's allegations as true, the court required Respondents to answer the § 2241 petition and set an expedited briefing schedule.
2. Petitioner was not entitled to immediate release on the current filings before the United States Attorney's Office had an opportunity to respond; the motion for release was denied without prejudice.
3. *Zadvydas* did not apply because Petitioner's removal order was not yet final and remained on appeal.

KEY QUOTATIONS

“A petitioner seeking a TRO “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,” and that the balance of equities and public interest favor relief.”

FACTUAL BACKGROUND

Petitioner entered the United States in 2022 and was arrested for an unspecified crime in August 2025. After his release from county jail, immigration officials took him into custody. A removal order was entered on October 27, 2025, but the order was still on appeal, and Petitioner alleged that he had not received a meaningful bond hearing and was subject to prolonged detention.

PROCEDURAL HISTORY

Petitioner filed a § 2241 habeas petition alleging that he was subject to prolonged immigration detention without a meaningful bond hearing. He also filed a motion seeking immediate release before Respondents had answered. The court ordered an expedited response and denied the motion for release without prejudice.

DISPOSITION

other

CASES CITED

- *Winter v. Natural Resources Defense Council*, 555 U.S. 7, 20 (2008)
- *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001)
- *Ngefack v. Castro*, 2026 WL 473161, at *1 (D.N.M. Feb. 19, 2026)
- *Themeus v. U.S. Department of Justice*, 643 F. App'x 830, 833 (11th Cir. 2016)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW MEXICO
REINEL MEDEROS-ORTEGA, Petitioner, v. Civ. No. 26-802-KG-JFR PAM BONDI, et al,
Respondents, ORDER TO ANSWER This matter is before the Court on the Petition for Writ of
Habeas Corpus Under 28 U.S.C. § 2241. (Doc. 1) (Petition). Petitioner is an immigration detainee
at the Otero County Processing Center and is proceeding pro se.

The Petition alleges he entered the United States in 2022 and was arrested for an unspecified crime
in August of 2025. (Doc. 1) at 2. Petitioner was taken into immigration custody following his
release from county jail. Id. Immigration officials entered a removal order on October 27, 2025,
which is currently on appeal. He alleges he did not receive a meaningful bond hearing and that he
is subject to prolonged detention.

Accepting the facts as true, the Court will require an answer to the Petition. The Clerk's Office has
electronically served Respondents by Notice of Electronic Filing (NEF) using the Case
Management and Electronic Case Filing (CM/ECF) system. (Doc. 3).

The Court will set a briefing schedule, as set forth below. The Court will also require Petitioner to
file a motion to proceed in forma pauperis or pay the \$5.00 filing fee within thirty (30) days.
Petitioner filed a Motion for Release (Doc. 2) along with the opening pleading. Petitioner seeks an
immediate release from custody before briefing is complete. A petitioner seeking a TRO "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," and that the balance of equities and public interest favor relief.

Winter v. Nat. Res. Def. Council, 555 U.S. 7, 20 (2008). In the section of the Motion addressing
likelihood of success on the merits, Petitioner primarily alleges he is subject to prolonged
detention pursuant to Zadvydas v. Davis, 533 U.S. 678, 687 (2001). Zadvydas does not apply
because Petitioner's removal order is not yet final. See Ngefac v. Castro, 2026 WL 473161, at *1
(D.N.M.

Feb. 19, 2026) ("Petitioner does not appear to raise a colorable claim challenging his detention
under 8 U.S.C. § 1231 or Zadvydas ... because his removal order is not yet final"); Themeus v.
U.S. Dep't of Just., 643 Fed. App'x 830, 833 (11th Cir. 2016) (same). It also appears that
Petitioner has some criminal history, as he was arrested before his transfer to immigration custody.

While the facts warrant a response and an expedited review of the filings, the Court declines to
release Petitioner based on the current filings and before the USAO has an opportunity to respond.
IT IS ORDERED that: 1.

The United States Attorney's Office must answer the Petition within ten (10) business days of
entry of this Order. 2. If Petitioner wishes to file an optional reply, he must do so within seven (7)
business days after the response is filed. 3.

The Motion for Release (Doc. 2) is denied without prejudice. 4. Within thirty (30) days of entry of this Order, Petitioner shall pay the \$5.00 filing fee or file a motion to proceed in forma pauperis. /s/Kenneth J. Gonzales_____ CHIEF UNITED STATES DISTRICT JUDGE • Please note that this document has been electronically filed.

To verify its authenticity, please refer to the Digital File Stamp on the NEF (Notice of Electronic Filing) accompanying this document. Electronically filed documents can be found on the Court's PACER public access system.