

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Gustavo Castaneda Hernandez v. Kristi Noem, et al.

No. CV-25-04786-PHX-KML (JFM) · No. No. CV-25-04786-PHX-KML (JFM) · Decided December 29, 2025

SUMMARY

The United States District Court for the District of Arizona ordered respondents to show cause why a habeas petition under 28 U.S.C. § 2241 should not be granted to require the petitioner’s release or a bond hearing under 8 U.S.C. § 1226. The order relies on prior District of Arizona decisions, a Seventh Circuit decision, and a Central District of California class-action judgment concerning mandatory detention under 8 U.S.C. § 1225(b)(2).

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Krissa M. Lanham
JURISDICTION	United States District Court for the District of Arizona
DECIDED	December 29, 2025
DOCKET	No. CV-25-04786-PHX-KML (JFM)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his detention and seeking release or a bond hearing.
PRECEDENTIAL VALUE	unpublished
PARTIES	Gustavo Castaneda Hernandez v. Kristi Noem, et al.

TOPICS

- immigration detention
- removal proceedings
- immigration
- administrative law
- statutory interpretation

PRACTICE AREAS

- immigration law
- habeas corpus
- administrative law
- civil procedure

QUESTIONS PRESENTED

- Whether petitioner may be subject to mandatory detention under 8 U.S.C. § 1225(b)(2).
- Whether respondents must show cause why petitioner should not be released or provided a bond hearing under 8 U.S.C. § 1226.

HOLDINGS

1. Respondents must show cause why the petition should not be granted to the extent petitioner should be released or provided a bond hearing under 8 U.S.C. § 1226.

KEY QUOTATIONS

“not likely to succeed on the merits of their argument” (at 1)

“respondents must show cause why the petition should not be granted to the extent that petitioner be released or provided a bond hearing under 8 U.S.C. § 1226.” (at 2)

FACTUAL BACKGROUND

Gustavo Castaneda Hernandez was detained in an immigration matter and filed a habeas petition under 28 U.S.C. § 2241. The petition raised whether his detention was mandatory under 8 U.S.C. § 1225(b)(2), rather than governed by the bond-hearing provisions of 8 U.S.C. § 1226. The court noted conflicting district-court decisions, a Seventh Circuit decision finding the government's position on mandatory detention under § 1225(b)(2)(A) unlikely to succeed, and a Central District of California judgment addressing similarly situated detainees.

PROCEDURAL HISTORY

Hernandez filed a § 2241 petition challenging whether he was subject to mandatory detention under 8 U.S.C. § 1225(b)(2). The court ordered service and required respondents to show cause why the petition should not be granted to the extent Hernandez should be released or provided a bond hearing under 8 U.S.C. § 1226.

DISPOSITION

other

CASES CITED

- Zepeda v. Noem, CV-25-4236-PHX-KML (JFM), ECF No. 13 at 2–3 (D. Ariz. Dec. 11, 2025)
- Castanon-Nava v. U.S. Dep’t of Homeland Sec., No. 25-3050, 2025 WL 3552514, at *9 (7th Cir. Dec. 11, 2025)
- Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, Doc. 94 (C.D. Cal. Dec. 18, 2025)

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