

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Haliloglu v. Rhoney

Haliloglu · No. 26-CV-0769-MAV · Decided June 5, 2026

SUMMARY

The United States District Court for the Western District of New York declined to exercise jurisdiction under the Declaratory Judgment Act over claims arising from Nusret Haliloglu’s immigration detention. Because the Court had ordered a bond hearing and the Immigration Judge subsequently ordered release on bond, the Court dismissed the habeas petition without prejudice to pursuing the constitutional claims in a separate civil action and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Western District of New York
WRITING FOR THE COURT	Meredith A. Vacca
JURISDICTION	United States District Court for the Western District of New York
DECIDED	June 5, 2026
DOCKET	26-CV-0769-MAV
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241, with accompanying constitutional and Administrative Procedure Act claims, following the issuance of a bond hearing and release on bond. The court declined to exercise jurisdiction over the request for declaratory relief and dismissed the petition without prejudice.
STANDARD OF REVIEW	The court exercised broad discretion under the Declaratory Judgment Act to determine whether to decline jurisdiction over the request for declaratory relief.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not identified in the source metadata.
PARTIES	Nusret Haliloglu v. Philip Rhoney, in his official capacity as Acting Field Director of the Buffalo Field Office of United States Immigration and Customs Enforcement, et al.

TOPICS

immigration detention

habeas corpus

declaratory judgment

remedies

constitutional law

PRACTICE AREAS

immigration

administrative law

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the court should exercise jurisdiction under the Declaratory Judgment Act to issue declaratory relief after the petitioner's detention and bond-hearing issue had been resolved.
2. Whether the petition should be dismissed without prejudice after the petitioner obtained a bond hearing and release on bond.

HOLDINGS

1. The court may, in its broad discretion, decline to exercise jurisdiction over a request for declaratory relief after weighing the relevant Declaratory Judgment Act factors, and the court declined jurisdiction here.
2. The petition was dismissed without prejudice to the petitioner's pursuit of his constitutional claims in a separate civil action.

KEY QUOTATIONS

“As the Second Circuit has recognized, federal district courts have broad discretion to decline jurisdiction under the Declaratory Judgment Act (“DJA”), 28 U.S.C. § 2201, based on the consideration of the following factors:” (57 F.4th 99-100)

“It is clear, not only from the language of [§] 2241(c)(3)..., but also from the common-law history of the writ, that the essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and that the traditional function of the writ is to secure release from illegal custody.” (411 U.S. 484)

FACTUAL BACKGROUND

Haliloglu was detained by immigration authorities without an initial bond hearing and filed a § 2241 petition challenging the legality of his detention and asserting constitutional and APA violations. The court concluded that 8 U.S.C. § 1226(a) governed the detention and ordered respondents to provide a bond hearing. After the hearing, an immigration judge ordered Haliloglu released on a \$5,000 bond, but Haliloglu continued to seek declaratory relief on his substantive due process, APA, and Fourth Amendment claims.

PROCEDURAL HISTORY

Haliloglu filed a verified § 2241 habeas petition alleging violations of the Fourth Amendment, Fifth Amendment, and APA. After the court ordered respondents to show cause, respondents conceded that the case presented a common question of law with *Da Cunha v. Freden*. The court determined that Haliloglu's detention was governed by 8 U.S.C. § 1226(a) and ordered a bond hearing. An immigration judge subsequently ordered Haliloglu released on a \$5,000 bond. Haliloglu continued to seek declaratory relief on constitutional and APA

claims, but the court declined jurisdiction under the Declaratory Judgment Act and dismissed the petition without prejudice.

DISPOSITION

dismissed

CASES CITED

- Da Cunha v. Freden, No. 25-CV-6532-MAV, 2025 WL 3280575 (W.D.N.Y. Nov. 25, 2025), *aff'd*, No. 25-3141-pr, 2026 WL 1146044 (2d Cir. Apr. 28, 2026)
- Admiral Ins. Co. v. Niagara Transformer Corp., 57 F.4th 85, 99-100 (2d Cir. 2023)
- Preiser v. Rodriguez, 411 U.S. 475, 484 (1973)

OPINION

Haliloglu

PER CURIAM.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF NEW YORK

NUSRET HALILOGLU,

Petitioner, v. 26-CV-0769-MAV

ORDER

PHILIP RHONEY, in his official capacity as Acting Field Director of the Buffalo Field Office of the United States Immigration and Customs Enforcement; et al., Respondents. On April 19, 2026, Petitioner Nusret Haliloglu — through counsel — filed a verified petition for a writ of habeas corpus seeking relief under 28 U.S.C. § 2241 for alleged violations of his rights under the Fourth Amendment, the Fifth Amendment, and the Administrative Procedure Act (“APA”). ECF No. 1. The Court ordered Respondents to show cause why the petition should not be granted, and Respondents conceded that the instant case shared a common question of law with the Court’s decision in *Da Cunha v. Freden*, No. 25-CV-6532-MAV, 2025 WL 3280575 (W.D.N.Y. Nov. 25, 2025), *aff’d*, No. 25-3141-pr, 2026 WL 1146044 (2d Cir. Apr. 28, 2026). ECF Nos. 2, 10. Accordingly, the Court found that Petitioner’s detention was governed by 8 U.S.C. § 1226(a), and ordered Respondents to provide Petitioner with a bond hearing as established by existing federal regulations. ECF No. 138. Thereafter, Respondents notified the Court that Petitioner’s bond hearing was held on May 18, 2026, and that the presiding Immigration Judge ordered Petitioner released on \$5,000 bond. ECF No. 14. Notwithstanding his eligibility for bond, Petitioner continues to seek declaratory relief on his claims alleging violation of his substantive due process rights (Count I), his rights under the APA (Count ITI), and his right to be free from unreasonable searches and seizures (Count IV). ECF No. 16. As the Second Circuit has recognized, federal district courts have broad discretion to decline jurisdiction under the Declaratory Judgment Act

(“DJA”), 28 U.S.C. § 2201, based on the consideration of the following factors:

(1) whether the [declaratory] judgment [sought] will serve a useful

purpose in clarifying or settling the legal issues involved; (2) whether [such] a judgment would finalize the controversy and offer relief from uncertainty; (8) whether the proposed remedy is being used merely for procedural fencing or a race to res judicata; (4) whether the use of a declaratory judgment would increase friction between sovereign legal systems or improperly encroach on the domain of a state or foreign court;

(5) whether there is a better or more effective remedy, . . .; and (6)

whether concerns for judicial efficiency and judicial economy favor declining to exercise jurisdiction... . *Admiral Ins. Co. v. Niagara Transformer Corp.*, 57 F.4th 85, 99-100 (2d Cir. 2023) (internal quotation marks and citations omitted). “Inherent in district courts’ broad . . . discretion to decline jurisdiction under the DJA ...1is a similarly broad discretion to weigh the factors” the Second Circuit has enumerated. *Jd.* at 100 (internal quotation marks and citation omitted). “[N]o one factor is sufficient, by itself, to mandate that a district court exercise — or decline to exercise — its jurisdiction to issue a declaratory judgment.” *Id.* Here, the Court has thoroughly considered Petitioner’s and Respondents’ arguments and supporting caselaw on this issue, as well as each of the factors identified by the Second Circuit as relevant to the decision to decline jurisdiction 2” under the DJA, and finds good cause to decline jurisdiction to award declaratory relief in this action. With respect to the first two factors, the Court notes that the principal issue in this matter — the legality of Petitioner’s detention without a bond hearing — has been resolved by the Court’s prior order [ECF No. 13]. See, e.g., *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1978) (“It is clear, not only from the language of [§] 2241(c)(3)..., but also from the common-law history of the writ, that the essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and that the traditional function of the writ is to secure release from illegal custody.”). Moreover, the Court finds that its prior order [ECF No. 13] is a more effective remedy than declaratory judgment, and that concerns for judicial efficiency and judicial economy favor declining the exercise of jurisdiction under the DJA in this matter. Accordingly, the petition is dismissed without prejudice to Petitioner’s pursuit of his constitutional claims in a separate civil action. The Clerk of Court is directed to close this case. SO ORDERED. Dated: June 5 , 2026
Rochester, New York MA tude Vee
HON. MEREDITH A. VACCA
United States District Judge