UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Juan Daniel Luna-Gonzalez v. Kristi Noem, et al.

No. CV-25-03794-PHX-MTL (DMF) · No. No. CV-25-03794-PHX-MTL (DMF) · Decided November 26, 2025

SUMMARY

The United States District Court for the District of Arizona grants Juan Daniel Luna-Gonzalez's habeas petition in part, concluding that he is entitled to a bond hearing under 8 U.S.C. § 1226(a) rather than mandatory detention under § 1225(b). The court rejects the respondents' interpretation of the Immigration and Nationality Act and follows the reasoning of a prior decision addressing similarly situated noncitizens. Respondents must provide a bond redetermination hearing within ten days or release the petitioner, and the remaining claims are denied as moot.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Michael T. Liburdi
JURISDICTION	United States District Court for the District of Arizona
DECIDED	November 26, 2025
DOCKET	No. CV-25-03794-PHX-MTL (DMF)
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 from immigration detention and requested release or a bond hearing. The district court granted relief on the claim that detention was governed by 8 U.S.C. § 1226(a), ordered a bond redetermination hearing or release, and denied the remaining claims as moot.
PRECEDENTIAL VALUE	unpublished district court decision
PARTIES	Kristi Noem, et al. v. Juan Daniel Luna-Gonzalez

TOPICS

immigration detention · federal habeas corpus · statutory interpretation · administrative law · procedural due process

PRACTICE AREAS

immigration law · habeas corpus · administrative law · constitutional law

QUESTIONS PRESENTED

1. Whether a noncitizen who entered the United States years earlier without admission or inspection and was later apprehended within the country is subject to mandatory detention under 8 U.S.C. § 1225(b) or discretionary detention and a bond hearing under 8 U.S.C. § 1226(a).
2. Whether petitioner was entitled to a bond redetermination hearing under 8 U.S.C. § 1226(a).

HOLDINGS

1. A noncitizen in petitioner's circumstances—apprehended within the United States years after entering without admission or inspection, and not identified as subject to criminal mandatory detention under § 1226(c)—is detained under the discretionary detention framework of 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b).
2. Petitioner must receive a bond redetermination hearing under 8 U.S.C. § 1226(a), or be released from custody under the same conditions that existed before his detention.

KEY QUOTATIONS

> *"For the reasons that follow, the Amended Petition is granted, and Respondents must either release Petitioner from custody or provide a bond hearing within ten days."*

> *"Petitioner must receive a bond hearing under 8 U.S.C. § 1226(a)."*

FACTUAL BACKGROUND

Luna-Gonzalez was born in Mexico in 1997 and brought to the United States in 1999. He had valid Deferred Action for Childhood Arrivals status through October 15, 2026. After a June 20, 2025 traffic stop, he was arrested and transferred to immigration detention, and DHS later issued a Notice to Appear charging inadmissibility under 8 U.S.C. § 1182(a)(6)(A)(i). An Immigration Judge denied custody redetermination because DHS classified him as detained under § 1225(b)(2), which the IJ believed deprived the judge of authority to grant bond.

PROCEDURAL HISTORY

Luna-Gonzalez filed an amended verified § 2241 petition challenging his immigration detention and moved for a temporary restraining order and preliminary injunction. The court denied ex parte relief and ordered expedited briefing. After full briefing, the court granted the petition as to the Fifth Claim for Relief and directed respondents to provide a bond hearing within ten days or release petitioner.

DISPOSITION

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writ_granted
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REMAND INSTRUCTIONS

Respondents must provide petitioner a bond redetermination hearing within ten days or release him from custody under the same conditions that existed before detention. Respondents must file a notice of compliance

within three days after releasing petitioner or providing the bond hearing. The clerk must enter judgment for petitioner and close the case.

CASES CITED

- Francisco Cerritos Echevarria v. Pam Bondi, et al., 2025 WL 2821282 (D. Ariz. Oct. 3, 2025)
- Valencia v. Chestnut, 2025 WL 3205133 (E.D. Cal. Nov. 17, 2025)
- Alonzo v. Noem, 2025 WL 3208284 (E.D. Cal. Nov. 17, 2025)
- Mejia Olalde v. Noem, 2025 WL 3131942 (E.D. Mo. Nov. 10, 2025)
- Sandoval v. Acuna, 2025 WL 3048926 (W.D. La. Oct. 31, 2025)
- Rojas v. Olson, 2025 WL 3033967 (E.D. Wis. Oct. 30, 2025)
- Garibay-Robledo v. Noem, No. 1:25-CV-177-H, Doc. 9 (N.D. Tex. Oct. 24, 2025)
- Vargas Lopez v. Trump, 2025 WL 2780351 (D. Neb. Sept. 30, 2025)
- Chavez v. Noem, 2025 WL 2730228 (S.D. Cal. Sept. 23, 2025)
- Pipa-Aquise v. Bondi, No. 25-1094, 2025 WL 2490657 (E.D. Va. Aug. 5, 2025)
- Pena v. Hyde, No. 25-11983, 2025 WL 2108913 (D. Mass. July 28, 2025)
- Quinapanta v. Bondi, 2025 WL 3157867 (W.D. Wis. Nov. 12, 2025)

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 9 Juan Daniel Luna-Gonzalez, No. CV-25-03794-PHX-MTL (DMF) 10 Petitioner, ORDER 11 v. 12 Kristi Noem, et al., 13 Respondents. 14 15 Petitioner filed an Amended Verified Petition for Writ of Habeas Corpus under 16 § 2241 challenging his immigration detention.1 (Doc. 12.) Petitioner also filed an Ex Parte 17 Motion for Temporary Restraining Order and Preliminary Injunction.

The Court denied 18 the request for ex parte relief and ordered expedited briefing of the Petition and Motion for 19 Preliminary Injunction. (Doc. 5.) The Amended Petition and Motion are fully briefed. 20 (Docs. 11, 14, 15, 18.)

For the reasons that follow, the Amended Petition is granted, and 21 Respondents must either release Petitioner from custody or provide a bond hearing within 22 ten days. 23 I. Background 24 Petitioner states he was born in Mexico in 1997 and brought to the United States in 25 1999. (Doc. 12 ¶ 25.) Petitioner has Deferred Action for Childhood Arrivals ("DACA") 26 status, which is valid until October 15, 2026.

(Id. ¶ 26.) On June 20, 2025, Petitioner was 27 involved in a traffic stop, arrested for being in the United States without proper documents, 28 1 Petitioner's Amended Petition is substantively identical to his original Petition except that it names a previously unidentified John Doe Respondent. 1 and transferred to immigration detention. (Id. ¶ 3.)

On July 2, 2025, DHS issued a Notice 2 to Appear charging Petitioner with inadmissibility under 8 U.S.C. § 1182(a)(6)(A)(i). (Id. 3 ¶ 6.) 4 A July 8, 2025 policy guidance memorandum issued by Acting ICE Director Todd 5 Lyons announced that DHS had revisited the government's legal position on detention and 6 release authorities.

Under this "revisited" legal position, noncitizens present without 7 admission are now subject to mandatory detention under 8 U.S.C. § 1225(b), rather than 8 discretionary detention under 8 U.S.C. § 1226(a), because, under 8 U.S.C. § 1225(a)(1), 9 they are deemed applicants for admission. (Doc. 12 at 3 n.11.) 10 Petitioner requested a custody redetermination before an Immigration Judge ("IJ").

11 The IJ denied the request on the basis that he lacked jurisdiction to grant Petitioner bond 12 because DHS classified him as being detained under § 1225(b)(2). (Doc. 1, Ex. 8.) 13 Petitioner alleges his arrest violated the Fourth Amendment and 8 U.S.C. 14 § 1357(a)(2); and his detention violates the Administrative Procedures Act, the Accardi 15 doctrine, and his substantive and procedural due process rights.

(Doc. 12 at 16-22.) He 16 seeks release from detention and an order declaring his arrest and continued detention are 17 unlawful. 18 II. Analysis—Interpretation of 8 U.S.C. § 1225 and 8 U.S.C. § 1226 19 Respondents state they "are aware of a prior ruling in this District rejecting 20 [Petitioner's] arguments, see e.g., Francisco Cerritos Echevarria v. Pam Bondi, et al., 21 2:25-cv-03252-DWL-ESW, (D.

Ariz. Oct. 3, 2025), but [] respectfully maintain that 22 Petitioner has not been deprived of due process, and falls within the definition of an 23 'arriving alien' warranting mandatory detention as the removal process unfolds. 24 Respondents also respectfully maintain that a person is an 'applicant for admission' until 25 an immigration official has inspected that person and determined that they are admissible 26 into the United States." (Doc.

11 at 12.) 27 Among other things, Respondents contend that Echevarria did not "consider other 28 pieces of statutory context." (Id.) The Court respectfully disagrees, as Echevarria contains 1 an extensive discussion of the statutory context. Echevarria, 2025 WL 2821282 at *5 2 ("Although [Respondents'] approach has surface appeal, the Court perceives at least two 3 problems with it: first, it ignores some of the additional requirements imposed by 4 § 1225(b)(2)(A); and second, it fails to account for the broader statutory scheme, 5 particularly in light of how that broader scheme has been interpreted by the Supreme 6 Court."); id. at *7 ("Putting aside these textual problems with Respondents' position, 7 Respondents' narrow focus on § 1225(a)(1) also ignores the complexities of interpreting 8 the INA, a dense statute... which must be interpreted against the backdrop of our 9 constitutional principles, administrative law, and international treaty obligations.

Divining 10 its meaning is ordinarily not for the faint of heart. To that end, in determining whether 11 Congress has specifically addressed the question at issue, the court should not confine itself 12 to examining a particular statutory provision in isolation. Rather, it must place the 13 provision in context, interpreting the statute to create a symmetrical and coherent 14 regulatory scheme.”) (cleaned up).

Nothing in Respondents’ brief persuades the Court that 15 this analysis was mistaken. 16 The Court is aware of several decisions adopting Respondents’ argument. Valencia 17 v. Chestnut, 2025 WL 3205133 (E.D. Cal. Nov. 17, 2025); Alonzo v. Noem, 2025 WL 18 3208284 (E.D. Cal. Nov. 17, 2025); Mejia Olalde v. Noem, 2025 WL 3131942 (E.D. Mo. 19 Nov. 10, 2025); Sandoval v. Acuna, 2025 WL 3048926 (W.D.

La. Oct. 31, 2025); Rojas v. 20 Olson, 2025 WL 3033967 (E.D. Wisc. Oct. 30, 2025); Garibay-Robledo v. Noem, No. 21 1:25-CV-177-H, Doc. 9 (N.D. Tex. Oct. 24, 2025); Vargas Lopez v. Trump, 2025 WL 22 2780351 (D. Neb. Sept. 30, 2025), Chavez v. Noem, 2025 WL 2730228 (S.D. Cal. Sept. 23 24, 2025); Pipa-Aquise v. Bondi, No. 25-1094, 2025 WL 2490657 (E.D. Va. Aug.

5, 2025); 24 Pena v. Hyde, No. 25-11983, 2025 WL 2108913 (D. Mass. July 28, 2025). But it is 25 unsurprising that judges across the country are not in full agreement on how this issue 26 should be resolved. It is also fair to note that Respondents’ view represents the minority 27 position—in the weeks since Judge Lanza considered the issue in Echevarria, dozens of 28 other courts have reached the same conclusion.

See, e.g., Quinapanta v. Bondi, 2025 WL 1 3157867, *6 (W.D. Wisc. Nov. 12, 2025) (“[M]ore than 45 district courts have now 2 rejected similar arguments made by respondents here and ordered bond hearings for 3 noncitizens who, like petitioner, were apprehended within the United States years after 4 entering without admission or inspection unless implicated by any criminal activity 5 covered by § 1226(c).

These decisions, along with a growing number of others now 6 including this court have concluded that the statutory text, the statute’s history, 7 Congressional intent, and § 1226(a)’s application for the past three decades support its 8 application to noncitizens in petitioner’s position.”) (cleaned up).

Having reviewed the 9 recent decisions adopting the minority view, the Court agrees with the conclusion reached 10 by Judge Lanza in Echevarria. For these reasons, the Petition is granted as to Petitioner’s 11 Fifth Claim for Relief, and Petitioner must receive a bond hearing under 8 U.S.C. 12 § 1226(a).2 13 … 14 … 15 … 16 … 17 … 18 … 19 … 20 … 21 … 22 … 23 … 24 … 25 … 26 … 27 … 28 2 Because the Court grants relief as to the Fifth Claim for Relief, it will deny the remainder of the Petition as moot.

1 IT IS THEREFORE ORDERED: 2 1. Petitioner’s Petition for Writ of Habeas Corpus (Doc. 1) is granted as to 3 Petitioner’s Fifth Claim for Relief. The remainder of the Petition is denied 4 as moot. 5 2. Respondents must provide Petitioner a bond redetermination hearing within 6 ten days or release him from custody under the same conditions that existed 7 before his detention.

8 3. Respondents must provide a notice of compliance within three days of 9 releasing Petitioner or providing him a bond hearing. 10 4. All remaining motions are denied as moot. 11 5. The Clerk of Court shall enter judgment in Petitioner’s favor and close this 12 case. 13 Dated this 26th day of November, 2025. 14 Wicked T. diburde Michael T. Liburdi 17 United States District Judge 18 19 20 21 22 23 24 25 26 27 28 _5-

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