

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
INDIANA, SOUTH BEND DIVISION

Juan Calderon Moncada v. Warden

Calderon Moncada · No. No. 3:26-CV-270-CCB-SJF · Decided April 22, 2026

SUMMARY

The United States District Court for the Northern District of Indiana denies Juan Calderon Moncada’s 28 U.S.C. § 2241 habeas petition challenging his pre-removal immigration detention. The court holds that mandatory detention under 8 U.S.C. § 1225(b)(2) does not apply to a noncitizen arrested in the interior years after entering the United States, but concludes that detention under § 1226(a) was procedurally proper because the petitioner received an individualized bond hearing. The court directs the clerk to close the case.

CASE DETAILS

|                       |                                                                                                                                                                                        |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Indiana, South Bend Division                                                                                                 |
| WRITING FOR THE COURT | Cristal C. Brisco                                                                                                                                                                      |
| JURISDICTION          | United States District Court for the Northern District of Indiana, South Bend Division                                                                                                 |
| DECIDED               | April 22, 2026                                                                                                                                                                         |
| DOCKET                | No. 3:26-CV-270-CCB-SJF                                                                                                                                                                |
| DISPOSITION           | dismissed                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking release or a bond hearing.                                                   |
| STANDARD OF REVIEW    | The court reviewed the § 2241 petition to determine whether the petitioner established entitlement to federal habeas relief based on unlawful detention or a constitutional violation. |
| PRECEDENTIAL VALUE    | Unpublished district court opinion; precedential status unknown                                                                                                                        |
| PARTIES               | Juan Calderon Moncada v. Warden                                                                                                                                                        |

TOPICS

immigration detention

removal proceedings

procedural due process

statutory interpretation

civil procedure

## PRACTICE AREAS

immigration detention

habeas corpus

constitutional law

civil procedure

## QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1225(b)(2)'s mandatory-detention provision applies to a noncitizen who entered without inspection, was arrested within the interior of the United States years after arrival, and is not seeking admission at a port of entry.
2. Whether the district court had jurisdiction to consider the § 2241 challenge to the petitioner's immigration detention.
3. Whether detention under 8 U.S.C. § 1226(a) was lawful where the petitioner was arrested pursuant to a warrant and received an individualized bond hearing.
4. Whether the petitioner was entitled to a new bond hearing every six months or otherwise demonstrated a violation of the Fifth Amendment's Due Process Clause.

## HOLDINGS

1. The mandatory-detention provision in 8 U.S.C. § 1225(b)(2) does not apply to a noncitizen like Calderon Moncada who was arrested within the interior of the United States years after arriving in the country and was not seeking admission at a port of entry.
2. The record showed that Calderon Moncada's detention was governed by § 1226(a), and the statutory procedures were followed because he was arrested pursuant to a warrant and received an individualized bond hearing.
3. The petitioner was not entitled to a bond hearing every six months because neither § 1226(a) nor its implementing regulations contain such a requirement, and the six-month limitation discussed in *Zadvydas v. Davis* concerns post-removal detention rather than pre-removal detention.
4. On the present record, the petitioner failed to show that his detention violated the Fifth Amendment's Due Process Clause because the government followed the procedures applicable to detention under § 1226(a), including the individualized bond process.

## KEY QUOTATIONS

*“The court reaffirms its holding that the mandatory detention provision in § 1225(b)(2) does not apply to individuals like Mr. Calderon Moncada who are arrested within the interior of the country years after their arrival.”*

*“Based on the present record, he has not shown an entitlement to federal habeas relief.”*

## FACTUAL BACKGROUND

Juan Calderon Moncada, a citizen of Peru, entered the United States without inspection and was arrested on a criminal charge in New Jersey in 2024. Immigration officials initiated removal proceedings, and ICE detained him pursuant to an administrative warrant on June 27, 2024. An immigration judge denied bond after finding him a flight risk and later denied his applications for asylum and other relief; his appeal to the Board of Immigration Appeals remained pending.

#### PROCEDURAL HISTORY

Calderon Moncada filed a § 2241 habeas petition challenging his detention under the immigration laws and the Fifth Amendment. The Warden answered, and Calderon Moncada filed a reply. The district court denied the petition and directed the clerk to close the case.

#### DISPOSITION

dismissed

#### CASES CITED

- De Jesús Aguilar v. English, No. 3:25-CV-898 DRL-SJF, 2025 WL 3280219 (N.D. Ind. Nov. 25, 2025)
- Mejia Diaz v. Noem, No. 3:25cv960, 2025 WL 3640419 (N.D. Ind. Dec. 16, 2025)
- Singh v. English, No. 3:25cv962, 2025 WL 3713715 (N.D. Ind. Dec. 23, 2025)
- Castanon-Nava v. U.S. Department of Homeland Security, 161 F.4th 1048, 1061 (7th Cir. 2025)
- Jennings v. Rodriguez, 583 U.S. 281, 303, 306 (2018)
- Buenrostro-Mendez v. Bondi, 166 F.4th 494 (5th Cir. 2026)
- Avila v. Bondi, \_\_\_ F.4th \_\_\_, 2026 WL 819258 (8th Cir. Mar. 25, 2026)
- Zadvydas v. Davis, 533 U.S. 678, 687 (2001)
- United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, 268 (1954)