

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Alejandro Garcia Perez v. U.S. Immigration and Customs
Enforcement, et al.

Garcia Perez · No. 25-cv-03584-BAS-JLB · Decided December 30, 2025

SUMMARY

The United States District Court for the Southern District of California grants Alejandro Garcia Perez's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court orders respondents to provide him with a bond hearing before an Immigration Judge under 8 U.S.C. § 1226(a) within 14 days and directs the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Cynthia Bashant
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 30, 2025
DOCKET	25-cv-03584-BAS-JLB
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner, proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and requesting release on bond or his own recognizance. The Government filed a response amounting to non-opposition and indicated that Petitioner was entitled to a bond hearing under 8 U.S.C. § 1226(a).
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- [federal habeas corpus](#) [immigration detention](#) [immigration](#) [remedies](#)

PRACTICE AREAS

- [immigration](#) [federal habeas corpus](#) [immigration detention](#) [remedies](#)

QUESTIONS PRESENTED

1. Whether Petitioner was entitled to habeas relief requiring the Government to provide a bond hearing under 8 U.S.C. § 1226(a).

HOLDINGS

1. Petitioner was entitled to an order directing Respondents to provide a bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226(a).

KEY QUOTATIONS

- “Hence the Government indicates Petitioner “is entitled to an order from this court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).””* (at 1)
- “The Court ORDERS Respondents to provide Alejandro Garcia Perez (A# 240-965-871) a bond hearing before an Immigration Judge, held pursuant to 8 U.S.C. § 1226(a), within 14 days of today’s date.”* (at 2)

FACTUAL BACKGROUND

ICE detained Alejandro Garcia Perez on October 27, 2025. He sought release on bond or his own recognizance but provided little information about his circumstances. The Government indicated that he was detained pursuant to 8 U.S.C. § 1226(a) and did not oppose an order requiring a bond hearing.

PROCEDURAL HISTORY

Alejandro Garcia Perez filed a § 2241 habeas petition after ICE detained him on October 27, 2025. The Government responded that he was detained under 8 U.S.C. § 1226(a) and agreed that a bond hearing should be held. The court granted the petition, ordered a bond hearing before an Immigration Judge within 14 days, and directed the Clerk to close the case.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Alejandro Garcia Perez a bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226(a) within 14 days of December 30, 2025. The Clerk was directed to close the case.

CASES CITED

- Maldonado Bautista v. Santacruz, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025), as amended and superseded by ___ F. Supp. 3d ___, 2025 WL 3713987 (C.D. Cal. Dec. 18, 2025)

OPINION

Petitioner, ORDER GRANTING PETITION 13 v. FOR WRIT OF HABEAS CORPUS (ECF No. 1) 14 U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, et al., 15 Respondents. 16 17 18 Petitioner, acting pro per, files a Petition for Writ of Habeas Corpus pursuant to 28 19 U.S.C. § 2241, stating that he was detained by Immigration and Customs Enforcement 20 (“ICE”) on October 27, 2025.

(ECF No. 1.) He requests release on bond or his own 21 recognizance. (Id.) He provides little information about his circumstances. However, the 22 Government has filed what amounts to a non-opposition, noting that the Central District of 23 California has ruled that Petitioner is detained pursuant to 8 U.S.C. § 1226(a). (ECF No. 24 4) (citing *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 25 3288403 (C.D.

Cal. Nov. 25, 2025), as amended and superseded by __ F. Supp. 3d __, 26 2025 WL 3713987 (C.D. Cal. Dec. 18, 2025)).) Hence the Government indicates Petitioner 27 “is entitled to an order from this court directing a bond hearing be held pursuant to 8 U.S.C. 28 § 1226(a).” (Id.) I In light of the Government’s Response, the Court GRANTS the Petition and issues 2 || the following writ: 3 The Court ORDERS Respondents to provide Alejandro Garcia Perez 4 (A# 240-965-871) a bond hearing before an Immigration Judge, held pursuant 5 to 8 U.S.C. § 1226(a), within 14 days of today’s date.

6 || The Clerk of the Court shall close the case. 7 IT IS SO ORDERED. 8 9 || DATED: December 30, 2025 yatta Bahar 10 Hon. Cynthia Bashant, Chief Judge United States District Court 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28