

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Sukhjot Singh Sekhon v. Warden of the Golden State Annex
Detention Facility, et al.

Sekhon v. Warden · No. 1:25-cv-1692-JDP · Decided January 9, 2026

SUMMARY

The United States District Court for the Eastern District of California granted Sukhjot Singh Sekhon’s petition for a writ of habeas corpus challenging his re-detention by immigration authorities without notice or a hearing. The court held that his prior release from immigration custody created a protected liberty interest in continued release and that due process required notice and a pre-detention hearing before a neutral adjudicator. The court ordered his immediate release and imposed conditions on any future re-detention.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 9, 2026
DOCKET	1:25-cv-1692-JDP
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and re-detention without notice or a hearing. After briefing on the amended petition, the district court granted habeas relief.
STANDARD OF REVIEW	The court reviewed the legality of petitioner’s custody under 28 U.S.C. § 2241 and applied the two-step procedural due process framework and Mathews v. Eldridge balancing test.
PRECEDENTIAL VALUE	Nonprecedential unpublished district-court order
PARTIES	Sukhjot Singh Sekhon v. Warden of the Golden State Annex Detention Facility, et al.

TOPICS

immigration detention

procedural due process

removal proceedings

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether a noncitizen who was released from immigration detention and lived outside custody under ICE supervision for more than a year possesses a protected liberty interest in continued release.
2. Whether the Fifth Amendment's Due Process Clause requires notice and a hearing before the government re-detains such a noncitizen.
3. Whether Sekhon was entitled to habeas relief and immediate release because respondents re-detained him without providing constitutionally adequate procedural safeguards.

HOLDINGS

1. A noncitizen released from ICE custody who has lived outside custody under government supervision for an extended period acquires a constitutionally protected liberty interest in continued release.
2. Before re-detaining a noncitizen who has a protected liberty interest in continued release, the government must provide written notice and an opportunity to be heard before a neutral adjudicator.
3. Respondents violated Sekhon's Fifth Amendment procedural due process rights by re-detaining him without notice, a hearing, or other adequate procedural safeguards.

KEY QUOTATIONS

“For the reasons outlined below, the court grants the petition for a writ of habeas corpus and orders that petitioner be immediately released.” (at 1)

“This court agrees with the bulk of other courts to have considered the issues presented here and holds that petitioner has a liberty interest in his continued release.” (at 3)

“On balance, an initial weighing of the Mathews factors demonstrate that petitioner is entitled to notice and an opportunity to be heard before re-detention.” (at 4)

“At any such hearing, the government shall bear the burden of establishing, by clear and convincing evidence, that petitioner poses a danger to the community or a risk of flight, and petitioner shall be allowed to have his counsel present.” (at 4)

FACTUAL BACKGROUND

Sekhon, a citizen of India, entered the United States in May 2024 after crossing the Mexican border and sought asylum, withholding of removal, and CAT protection based on alleged persecution in India. DHS initially detained him at the border but released him on his own recognizance with a Notice to Appear, and he lived in Fresno under ICE supervision for more than a year, obtained employment authorization, and complied with his immigration-case requirements. After an immigration judge dismissed his applications on May 20, 2025, DHS

arrested him moments after he left the courtroom and detained him without providing a bond or custody hearing. The government did not explain the basis for the re-detention or contend that Sekhon posed a danger or flight risk.

PROCEDURAL HISTORY

Sekhon entered the United States in May 2024, was detained at the border, and was released with a Notice to Appear. After an immigration judge dismissed his applications for asylum, withholding of removal, and CAT relief, Sekhon appealed to the Board of Immigration Appeals. DHS arrested and detained him immediately after the immigration-court hearing on May 20, 2025. He filed a pro se habeas petition on December 1, 2025; counsel was appointed, an amended petition and responsive briefing were filed, and the parties consented to magistrate-judge jurisdiction. The court granted the petition and ordered immediate release subject to specified conditions.

DISPOSITION

writ_granted

CASES CITED

- Williams v. Taylor, 529 U.S. 362, 374-75 (2000)
- Preiser v. Rodriguez, 411 U.S. 475, 484 (1973)
- I.N.S. v. St. Cyr, 533 U.S. 289, 301 (2001)
- Zadvydas v. Davis, 533 U.S. 678, 687, 690 (2001)
- Kentucky Department of Corrections v. Thompson, 490 U.S. 454, 460 (1989)
- Morrissey v. Brewer, 408 U.S. 471, 481-84 (1972)
- Gonzalez-Fuentes v. Molina, 607 F.3d 864, 887 (1st Cir. 2010)
- Lopez v. Lyons, No. 2:25-cv-3174-DJC-CKD, 2025 WL 3124116, at *3 (E.D. Cal. Nov. 7, 2025)
- Pinchi v. Noem, 792 F. Supp. 3d 1025, 1032-35 (N.D. Cal. 2025)
- Rico-Tapia v. Smith, No. 1:25-cv-00379-SASPKJM, 2025 WL 2950089, at *8 (D. Haw. Oct. 10, 2025)
- Gagnon v. Scarpelli, 411 U.S. 778, 782 (1973)
- Valencia Zapata, 2025 WL 2741654, at *6
- Shoimov v. Chestnut, No. 1:25-cv-1603 CSK, 2026 WL 35624, at *5 (E.D. Cal. Jan. 6, 2026)
- Guillermo M. R. v. Kaiser, No. 25-cv-5436-RFL, 2025 WL 1983677, at *4 (N.D. Cal. July 17, 2025)
- Ortega v. Kaiser, No. 25-cv-5259-JST, 2025 WL 1771438, at *3 (N.D. Cal. June 26, 2025)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- Hernandez v. Sessions, 872 F.3d 976, 993 (9th Cir. 2017)
- Salazar v. Casey, No. 25-cv-2784-JLS (VET), 2025 WL 3063629, at *4-5
- Noori v. LaRose, No. 25-cv-1824-GPC-MSB, 2025 WL 2800149, at *10 (S.D. Cal. Oct. 1, 2025)
- Omer G.G., 2025 WL 3254999, at *7
- Singh v. Andrews, No. 1:25-cv-00801, 2025 WL 1918679, at *7 (E.D. Cal. July 11, 2025)

