

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Luis Alberto Paladino Jarquin v. Donald J. Trump, et al.

No. CV-26-00186-PHX-RM (MTM) (D. Ariz. Apr. 2, 2026) · No. No. CV-26-00186-PHX-RM (MTM) ·  
Decided April 2, 2026

SUMMARY

The United States District Court for the District of Arizona granted Luis Alberto Paladino Jarquin’s motion for attorney fees under the Equal Access to Justice Act following the grant of his 28 U.S.C. § 2241 petition challenging immigration detention. The court awarded \$7,606.64 in attorney’s fees, expenses, and costs and ordered the Government to pay the award to Petitioner’s attorney.

CASE DETAILS

|                       |                                                                                                                                                                                                                                      |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Arizona                                                                                                                                                                             |
| WRITING FOR THE COURT | Rosemary Márquez                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the District of Arizona                                                                                                                                                                             |
| DECIDED               | April 2, 2026                                                                                                                                                                                                                        |
| DOCKET                | No. CV-26-00186-PHX-RM (MTM)                                                                                                                                                                                                         |
| DISPOSITION           | other                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | Petitioner sought attorney fees, expenses, and costs under the Equal Access to Justice Act after prevailing on a 28 U.S.C. § 2241 petition challenging immigration detention.                                                        |
| STANDARD OF REVIEW    | The Court applied the Equal Access to Justice Act prevailing-party and substantial-justification standards and treated Respondents' failure to respond under Local Rule of Civil Procedure 7.2(l) as permitting summary disposition. |
| PRECEDENTIAL VALUE    | nonprecedential district court order                                                                                                                                                                                                 |
| PARTIES               | Luis Alberto Paladino Jarquin v. Donald J. Trump, et al.                                                                                                                                                                             |

TOPICS

immigration detention federal habeas corpus attorney fees civil procedure

PRACTICE AREAS

immigration federal habeas corpus attorney fees civil procedure

## QUESTIONS PRESENTED

1. Whether Jarquin was entitled to attorney fees, expenses, and costs under the Equal Access to Justice Act after prevailing on his habeas petition.
2. Whether the United States' position was substantially justified or whether special circumstances made an award unjust.
3. Whether the unopposed motion could be summarily granted under the District of Arizona's local rules.

## HOLDINGS

1. Jarquin, as the prevailing party, was entitled to an award of attorney fees, expenses, and costs because the Government's position was not substantially justified and no special circumstances made an award unjust.
2. The Court could summarily grant the unopposed motion under Local Rule of Civil Procedure 7.2(l).

## KEY QUOTATIONS

*“In addition, the Court shall award to the prevailing party fees and other expenses “unless the court finds that the position of the United States was substantially justified or that special circumstances make an award unjust.”” (at 1)*

*“Accordingly, IT IS ORDERED that Petitioner’s Motion for Attorney Fees (Doc. 11) is granted.” (at 2)*

## FACTUAL BACKGROUND

Jarquin was detained in an immigration matter and filed a petition for habeas corpus under 28 U.S.C. § 2241. The Court granted the petition and entered final judgment in his favor. He sought \$7,606.64 in attorney fees, expenses, and costs under the Equal Access to Justice Act, and Respondents did not challenge the request.

## PROCEDURAL HISTORY

Jarquin filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention. The Court granted the petition, and the Clerk entered final judgment for Jarquin. Jarquin then timely moved for an award of \$7,606.64 under the Equal Access to Justice Act. Respondents did not oppose the motion.

## DISPOSITION

other

## OPINION

Jarquin

PER CURIAM.

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6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF ARIZONA

8 9 Luis Alberto Paladino Jarquin, No. CV-26-00186-PHX-RM (MTM) 10 Petitioner, ORDER 11  
v. 12 Donald J Trump, et al., 13 Respondents. 14 15 Luis Alberto Paladino Jarquin filed a Petition  
for Writ of Habeas Corpus under 28 16 U.S.C § 2241, challenging his immigration detention.  
(Doc. 1.) The Court granted the 17 Petition (Doc. 8), and the Clerk of Court entered a final  
judgment in favor of Petitioner 18 (Doc. 9). Currently pending before the Court is Petitioner's  
Motion for Attorney Fees, in 19 which Petitioner seeks an attorney's fees award of \$7,606.64  
under the Equal Access to 20 Justice Act, 28 U.S.C. § 2412(d). (Doc. 11.)<sup>1</sup> Respondents did not  
file a response to the 21 Motion, and the deadline for doing so has expired. 22 A prevailing party is  
entitled to a judgment for costs in any civil against brought 23 against the United States or a  
United States official acting in his or her official capacity. 24 28 U.S.C. § 2412(a)(1). In addition,  
the Court shall award to the prevailing party fees and 25 other expenses "unless the court finds  
that the position of the United States was 26 substantially justified or that special circumstances  
make an award unjust." Id. § 27 2412(d)(1)(A). 28 1 The Motion is timely, having been filed  
within 30 days of final judgment. See 28 U.S.C. § 2412(d)(1)(B). 1 Here, Petitioner is the  
prevailing party, Respondents' position was not substantially justified, and no special  
circumstances make an award unjust. Furthermore, Respondents || have not challenged the  
reasonableness of Petitioner's fee request. Under the Local Rules of Civil Procedure, the Court  
may summarily grant Petitioner's Motion due to 5 || Respondents' failure to file a response. See  
LRCiv 7.2(1). 6 Accordingly, 7 IT IS ORDERED that Petitioner's Motion for Attorney Fees (Doc.  
11) is granted. 8 || Petitioner is awarded \$7,606.64 in attorney's fees, expenses, and costs under the  
Equal 9|| Access to Justice Act. The Government is ordered to pay the \$7,606.64 award by check ||  
made out to and delivered to Petitioner's attorney at SDS Law LLC, 1470 NW 107 Ave., || Suite D,  
Miami, FL 33172. 12 Dated this 2nd day of April, 2026. 13 14 ff 16 Honorable Rosthiary  
□□□□□□ 17 United States District □□□□□ 18 19 20 21 22 23 24 25 26 27 28 -2-