

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Edgar Estuardo Sulugui Chiyal v. Kenneth Genalo

Sulugui Chiyal v. Genalo · No. 26 Civ. 457 (JPC) · Decided January 20, 2026

SUMMARY

The United States District Court for the Southern District of New York directs the U.S. Attorney’s Office to respond to a 28 U.S.C. § 2241 petition challenging the petitioner’s detention and to explain the petitioner’s location. The order sets briefing deadlines, directs the parties to address the applicability of *Chen v. Almodovar* concerning detention under 8 U.S.C. § 1225(b)(2)(A), and vacates an earlier stay of removal and transfer.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	John P. Cronan
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	January 20, 2026
DOCKET	26 Civ. 457 (JPC)
DISPOSITION	vacated
PROCEDURAL POSTURE	Initial order in a petition for a writ of habeas corpus under 28 U.S.C. § 2241 concerning immigration detention.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Edgar Estuardo Sulugui Chiyal v. Kenneth Genalo, et al.

TOPICS

immigration detention federal habeas corpus removal proceedings

PRACTICE AREAS

immigration detention federal habeas corpus removal proceedings

QUESTIONS PRESENTED

1. What basis does the Government assert for Petitioner’s detention, and where is Petitioner located?
2. Whether the prior order staying Petitioner’s removal and transfer should remain in effect.

KEY QUOTATIONS

“The order entered on January 17, 2026, staying Petitioner’s removal and transfer is hereby vacated.”

FACTUAL BACKGROUND

Petitioner is detained in an immigration-related matter and filed a petition under 28 U.S.C. § 2241. The record excerpt does not identify the asserted statutory basis for detention or Petitioner’s location; the Court directed the Government to provide that information. A prior order had stayed Petitioner’s removal and transfer.

PROCEDURAL HISTORY

Petitioner filed a § 2241 petition challenging or seeking information concerning his detention. The Court ordered the U.S. Attorney’s Office to file an answer or other response addressing the basis for detention and Petitioner’s location, allowed a reply, and vacated an earlier order staying Petitioner’s removal and transfer.

DISPOSITION

vacated

CASES CITED

- Chen v. Almodovar, No. 25 Civ. 9670 (JPC), 2026 WL 100761 (S.D.N.Y. Jan. 14, 2026)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK was eee KX EDGAR ESTUARDO SULUGUI CHIYAL, Petitioner, -V- □ 26 Civ. 457 (JPC) KENNETH GENALO, et al., ORDER Respondents. JOHN P. CRONAN, United States District Judge: The Court, having examined the Petition in this action, which Petitioner filed under 28 U.S.C. § 2241, orders that: The Clerk of Court shall electronically notify the Civil Division of the U.S. Attorney’s Office for the Southern District of New York that this Order has been issued.

By January 27, 2026, the U.S. Attorney’s Office shall file an answer or other pleadings in response to the Petition, explaining the basis for Petitioner’s detention and Petitioner’s location. Petitioner may file reply papers, if any, by February 3, 2026.

In preparing their papers, the parties shall discuss whether, if the statutory provision under which the Government asserts the authority to detain Petitioner is 8 U.S.C. § 1225(b)(2)(A), there is any basis to distinguish this case from this Court’s recent decision in Chen v. Almodovar, No. 25 Civ. 9670 (JPC), 2026 WL 100761 (S.D.N.Y. Jan. 14, 2026).

The order entered on January 17, 2026, staying Petitioner’s removal and transfer is hereby vacated. See Dkt. 3 at 2 (explaining that the order may be “vacated or modified by the judge who is assigned to this action”). SO ORDERED. Whe Dated: January 20, 2026 ef TB, New York, New York JOHN P. CRONAN United States District Judge

