

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Fedlin Devilmar v. U.S. Immigration and Customs Enforcement ICE;
and Otay Mesa Detention Center

Devilmar · No. 3:26-cv-0009-JES-MSB · Decided January 16, 2026

SUMMARY

The United States District Court for the Southern District of California granted Fedlin Devilmar’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The Court ordered Respondents to provide a bond determination hearing under 8 U.S.C. § 1226(a), file a notice of compliance, and close the case after receiving that notice.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	James E. Simmons Jr.
JURISDICTION	United States District Court for the Southern District of California
DECIDED	January 16, 2026
DOCKET	3:26-cv-0009-JES-MSB
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention.
STANDARD OF REVIEW	The court addressed the jurisdictional objection and reviewed the habeas petition on the merits; no separately articulated standard of review appears.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status not stated in the opinion.
PARTIES	Fedlin Devilmar v. U.S. Immigration and Customs Enforcement ICE, Otay Mesa Detention Center

TOPICS

- immigration detention
- federal habeas corpus
- immigration
- subject matter jurisdiction

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should dismiss the § 2241 petition for lack of jurisdiction because Petitioner failed to name the warden of Otay Mesa Detention Center as a respondent.
2. Whether Petitioner, as a person detained under 8 U.S.C. § 1226(a) and covered by Maldonado Bautista, was entitled to a bond determination hearing.

HOLDINGS

1. The court declined to dismiss the petition on the naming and jurisdictional ground and addressed the petition on its merits.
2. Because Respondents acknowledged that Petitioner was detained under 8 U.S.C. § 1226(a) and was covered by Maldonado Bautista, the court granted the habeas petition and ordered Respondents to provide a bond determination hearing within ten days.

KEY QUOTATIONS

“In light of Petitioner’s pro se status and the liberty interests at issue, the Court finds it prudent to follow suit of its sister courts and address the Petition on the merits rather than dismiss the Petition.” (1)

“The Court ORDERS Respondents to provide Petitioner with a bond determination hearing under 8 U.S.C. § 1226(a) within ten days of this Order.” (1)

FACTUAL BACKGROUND

Fedlin Devilmar was detained at Otay Mesa Detention Center in immigration custody. Respondents acknowledged that he was detained under 8 U.S.C. § 1226(a) and therefore was covered by the final judgment in Maldonado Bautista v. Santacruz. The court ordered Respondents to provide a bond determination hearing and prohibited them from denying bond on the ground that Petitioner was detained under 8 U.S.C. § 1225(b)(2).

PROCEDURAL HISTORY

Fedlin Devilmar filed a pro se § 2241 habeas petition. After the court issued an order to show cause, Respondents filed a response arguing that the court lacked jurisdiction because Petitioner had not named the warden of Otay Mesa Detention Center. The court declined to dismiss on that basis, reached the merits, granted the petition, ordered a bond determination hearing, and directed Respondents to file a notice of compliance.

DISPOSITION

writ_granted

CASES CITED

- Guatam v. Corr. Corp. of Am., No. 3:25-CV-3600-JES-DEB, 2026 WL 25846, at *2 (S.D. Cal. Jan. 5, 2026)

- *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025)

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