

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Edgar Jesus Medina Chirinos v. John E. Cantu, et al.

No. CV-26-00756-PHX-MTL (ASB) · No. No. CV-26-00756-PHX-MTL (ASB) · Decided March 23, 2026

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF
ARIZONA 8 9 Edgar Jesus Medina Chirinos, No. CV-26-00756-PHX-MTL (ASB) 10 Petitioner,
ORDER 11 v. 12 John E Cantu, et al., 13 Respondents. 14 15 I. 16 Petitioner entered the United
States from an unknown country without authorization 17 in 2014. (Doc. 1 ¶ 67.) Respondents
arrested Petitioner in October 2025.

(Id. ¶¶ 68-72.) 18 Petitioner filed this habeas corpus action challenging his immigration detention
and 19 seeking a bond determination hearing under 8 U.S.C. § 1226(a). Respondents argue that 20
Petitioner is subject to mandatory detention without bond under 8 U.S.C. § 1225(b)(2)(A). 21
(Doc. 7 at 2-3.) 22 II. 23 For the reasons explained in *Chavez v. Noem*, — F. Supp. 3d —, 2026
WL 381618, 24 at *1-2 (D.

Ariz. Feb. 9, 2026), the Court finds that a person who entered the United States 25 illegally and is
clearly and beyond a doubt not entitled to admission, is subject to mandatory 26 detention under §
1225(b)(2)(A). See also *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th 27 Cir. 2026). 28 Based
on this record, the Court finds that Petitioner is present without having been 1 admitted and is
therefore treated as an applicant for admission under 8 U.S.C. § 1225(a)(1).

2 The Court further finds that an immigration officer has not determined Petitioner clearly 3 and
beyond a doubt entitled to be admitted, and therefore mandatory detention under 8 4 U.S.C. §
1225(b)(2)(A) applies. Petitioner’s statutory and regulatory claims must be 5 denied. 6 As far as
Petitioner alleges that his detention violates his due process rights, he is 7 mistaken.

The government began removal proceedings against Petitioner under procedures 8 set forth in the
Immigration and Nationality Act (“INA”). An alien unlawfully present in 9 the United States “has
only those rights regarding admission that Congress has provided 10 by statute.” *Dep’t of
Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 140 (2020); see also 11 *Espinoza Lopez v. Noem*,
26 Civ.

00345 (JHR), 2026 WL 266597, at *3 (S.D.N.Y. Feb. 2, 12 2026). 13 In this case, Petitioner
received due process in two respects. First, he was afforded 14 the procedural protection of the
INA. Second, he was subject to the determination 15 procedures established by Congress in the
Illegal Immigration Reform and Immigration 16 Responsibility Act where an immigration officer
determined that he was not entitled to a 17 bond hearing.

These procedures represent the due process as provided by Congress in 18 statute. Petitioner is entitled to nothing further under the Constitution. 19 Finally, the Court also rejects Petitioner's argument that relief should be granted 20 here because he is a member of the Bautista class. See *Calderon Lopez v. Lyons*, — F. 21 Supp. 3d —, 2025 WL 3683918, at *1 (N.D.

Tex. Dec. 19, 2025). On March 6, 2026, the 22 Ninth Circuit Court of Appeals temporarily stayed the Bautista declaratory judgment, 23 pending a ruling on the Government's emergency motion for a stay pending appeal. See 24 *Bautista v. U.S. Dep't of Homeland Sec.*, No. 26-1044 (9th Cir. Mar. 6, 2026). If Petitioner 25 believes he is entitled to further relief under the judgment in Bautista, he must seek relief 26 in the Central District of California.

27.... 28.... 1 IT IS THEREFORE ORDERED Petitioner's Petition for Writ of Habeas Corpus 2|| (Doc. 1) is DENIED. This action is dismissed, all pending motions are denied as moot, 3 || and the Clerk of Court must enter judgment accordingly. 4 Dated this 23rd day of March, 2026. 5 Michael T. Liburdi 8 United States District Judge 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 _3-