

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Ivan Gonzalo Armijos Salinas v. Eric Rokosky, et al.

Civil Action No. 25-17914 (JXN) (D.N.J. Dec. 23, 2025) · No. Civil Action No. 25-17914 (JXN) · Decided December 23, 2025

SUMMARY

The United States District Court for the District of New Jersey granted Ivan Gonzalo Armijos Salinas’s petition for a writ of habeas corpus challenging his mandatory immigration detention under 8 U.S.C. § 1225(b)(2). The Court ordered Respondents to treat him as detained under 8 U.S.C. § 1226(a) and provide an individualized bond hearing within seven days.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Julien Xavier Neals
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 23, 2025
DOCKET	Civil Action No. 25-17914 (JXN)
DISPOSITION	granted
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2241 challenging his continued immigration detention without an individualized bond hearing. The District Court granted the petition and ordered Respondents to treat him as detained under 8 U.S.C. § 1226(a) and provide an individualized bond hearing.
STANDARD OF REVIEW	The Court construed the petition and applied the governing statutory framework for immigration detention under 8 U.S.C. §§ 1225(b)(2) and 1226(a); no separate standard-of-review formulation was stated.
PRECEDENTIAL VALUE	unpublished
PARTIES	Ivan Gonzalo Armijos Salinas v. Eric Rokosky, et al.

TOPICS

- immigration detention
- federal habeas corpus
- statutory interpretation
- immigration

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a noncitizen who entered the United States without inspection in 2020 and was arrested within the interior of the country in 2025 may be held in mandatory detention under 8 U.S.C. § 1225(b)(2), rather than under the discretionary detention authority of 8 U.S.C. § 1226(a).
2. Whether Petitioner was entitled to an individualized bond hearing before an immigration judge.

HOLDINGS

1. Because Petitioner had entered the United States years earlier and was arrested within the interior rather than upon arrival or while affirmatively seeking admission, his detention was authorized by 8 U.S.C. § 1226(a), not the mandatory-detention provision of 8 U.S.C. § 1225(b)(2).
2. Petitioner was entitled to an individualized bond hearing under 8 U.S.C. § 1226(a) before an immigration judge to determine whether he posed a flight risk or danger to the community.

KEY QUOTATIONS

“The line historically drawn between these two sections . . . is that section 1225 governs detention of non-citizens ‘seeking admission into the country,’ whereas section 1226 governs detention of non-citizens ‘already in the country.’” (Memorandum and Order)

“The issue of whether Petitioner is properly detained under § 1225(b) or § 1226(a) is similar to that of many cases in this District and around the country.” (Memorandum and Order)

“The Court finds the facts asserted in the Petition establish Petitioner’s detention is authorized only by 8 U.S.C. § 1226(a), and not § 1225(b)(2).” (Memorandum and Order)

FACTUAL BACKGROUND

Petitioner, a citizen of Ecuador, entered the United States without inspection in 2020 and remained in the country. ICE arrested him on November 18, 2025, and detained him thereafter. Immigration authorities denied him an individualized bond hearing because they classified him as subject to mandatory detention under 8 U.S.C. § 1225(b)(2).

PROCEDURAL HISTORY

Petitioner filed a § 2241 petition on November 24, 2025. The Court ordered Respondents to answer; Respondents filed a letter response on December 10, 2025, and Petitioner replied one week later. The Court granted the petition, ordered a bond hearing within seven days, required Respondents to report the outcome within three days after the hearing, and closed the case.

DISPOSITION

granted

REMAND INSTRUCTIONS

Respondents shall treat Petitioner as detained under 8 U.S.C. § 1226(a) and provide him, as soon as practicable and no later than seven days after December 23, 2025, with an individualized bond hearing before an immigration judge. The immigration judge shall assess whether Petitioner presents a flight risk or danger to the community. Respondents must file written notice of the hearing's outcome within three days after the hearing. The Clerk was directed to close the case.

CASES CITED

- Fuentes Velasquez v. Noem, No. 25-16797 (D.N.J. Dec. 17, 2025)
- In re Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025)
- Martinez v. Hyde, No. 25-cv-11613, 2025 WL 2084238, at *8 (D. Mass. July 24, 2025)
- Jennings, 583 U.S. at 288–89, 303
- Lopez-Campos v. Raycraft, 2025 WL 2496379, at *8 (E.D. Mich. Aug. 29, 2025)
- Lopez Benitez v. Francis, No. 25-cv-5937, 2025 WL 2371588, at *4 (S.D.N.Y. Aug. 13, 2025)
- Soto, 2025 WL 2976572, at *7
- Belsai D.S. v. Bondi, No. 25-cv-3682, 2025 WL 2802947, at *6 (D. Minn. Oct. 1, 2025)
- Zumba, 2025 WL 2753496, at *3
- Salazar v. Dedos, No. 25-cv-835, 2025 WL 2676729 (D.N.M. Sept. 17, 2025)
- Lepe v. Andrews, No. 25-cv-01163, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025)
- Roman v. Noem, No. 25-cv-01684, 2025 WL 2710211 (D. Nev. Sept. 23, 2025)
- Giron Reyes v. Lyons, No. 25-cv-4048, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025)
- Singh v. Lewis, No. 25-cv-0096, 2025 WL 2699219 (W.D. Ky. Sept. 22, 2025)
- Barrera v. Tindall, No. 25-cv-541, 2025 WL 2690565 (W.D. Ky. Sept. 19, 2025)
- Hasan v. Crawford, No. 25-cv-1408, 2025 WL 2682255 (E.D. Va. Sept. 19, 2025)
- Vazquez v. Feeley, No. 2:25-cv-01542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025)
- Loper Bright Enterprises v. Raimondo, 603 U.S. 369, 385 (2024)
- Decatur v. Paulding, 39 U.S. 497, 503 (1840)