

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Edin Eleazar Quinonez Orosco v. Todd Lyons, et al.

Quinonez Orosco v. Lyons · No. 2:25-cv-02240-RFB-EJY · Decided December 10, 2025

SUMMARY

The United States District Court for the District of Nevada granted Edin Eleazar Quinonez Orosco’s habeas petition challenging his detention under 8 U.S.C. § 1225(b)(2). The court held that he was subject to detention under 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2)(A), and ordered an individualized bond hearing by December 17, 2025, or release. The court also enjoined respondents from relying on mandatory detention or the automatic stay to continue his detention if bond was granted.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Richard F. Boulware, II
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 10, 2025
DOCKET	2:25-cv-02240-RFB-EJY
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 provide a bond hearing under 8 U.S.C. § 1226(a), or release Petitioner.
STANDARD OF REVIEW	The court reviewed de novo the legality of Petitioner's immigration detention and whether the INA authorized detention without a bond hearing. It also applied Federal Rule of Civil Procedure 6(b)(1)(A) to Respondents' motion to extend time.
PRECEDENTIAL VALUE	unpublished district court opinion; precedential status unknown
PARTIES	Edin Eleazar Quinonez Orosco v. Todd Lyons, et al.

TOPICS

- immigration detention
- removal proceedings
- statutory interpretation
- injunctions
- civil procedure

PRACTICE AREAS

Immigration

Habeas corpus

Federal civil procedure

Administrative law

QUESTIONS PRESENTED

1. Whether the district court had habeas jurisdiction under 28 U.S.C. § 2241 to review Petitioner's challenge to his immigration detention.
2. Whether 8 U.S.C. § 1225(b)(2)(A) required mandatory detention without a bond hearing for a longtime United States resident apprehended within the country after entering without inspection.
3. Whether Petitioner was instead subject to detention under 8 U.S.C. § 1226(a), requiring an individualized bond hearing.
4. What relief was appropriate to remedy Petitioner's detention without a bond hearing.
5. Whether Respondents had shown good cause for an extension of time to respond to the order to show cause.

HOLDINGS

1. The district court had jurisdiction under 28 U.S.C. § 2241 to review Petitioner's challenge to the lawfulness of his immigration detention because the INA's jurisdiction-stripping provisions did not apply.
2. Petitioner was subject to detention under 8 U.S.C. § 1226(a) and its implementing regulations, not mandatory detention under 8 U.S.C. § 1225(b)(2)(A). The government's contrary interpretation and detention policy were unlawful.
3. The proper relief was an individualized bond hearing under 8 U.S.C. § 1226(a) by December 17, 2025, with immediate release if the hearing was not timely provided or if bond was granted.
4. Respondents' motion to extend the deadline to respond to the order to show cause was properly granted nunc pro tunc.

KEY QUOTATIONS

“A writ of habeas corpus may be granted to a petitioner who demonstrates that he is in custody in violation of the Constitution or federal law.” (at 5)

“Accordingly, the Court finds Petitioner is subject to detention under § 1226(a) and its implementing regulations, not § 1225(b)(2)(A), and that the government’s new interpretation and policy under that provision is unlawful.” (at 6)

“The Court finds that harm is remedied by ordering a bond hearing by December 17, 2025.” (at 7)

FACTUAL BACKGROUND

Petitioner, a citizen of Guatemala, entered the United States without inspection in 2013 and had resided continuously in the country for approximately twelve years. He was married to a U.S. citizen, had two U.S. citizen children, possessed an approved I-130 petition and I-601A provisional waiver, and was awaiting a

consular interview. After his September 2025 arrest and transfer to ICE custody, he was detained at Nevada Southern Detention Center and denied bond based on the BIA's decision in *Matter of Yajure Hurtado*.

PROCEDURAL HISTORY

Petitioner filed a habeas petition on November 13, 2025. The court issued an order to show cause, Respondents filed a response, and Petitioner filed a reply. The court also granted Respondents' motion to extend the response deadline *nunc pro tunc*. On December 10, 2025, the court granted the petition and entered injunctive relief requiring a bond hearing by December 17, 2025, with release required if the hearing was not timely provided.

DISPOSITION

granted

CASES CITED

- *Escobar Salgado v. Mattos*, No. 2:25-CV-01872-RFB-EJY, 2025 WL 3205356 (D. Nev. Nov. 17, 2025)
- *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025)
- *Patel v. McShane*, No. CV 25-5975, 2025 WL 3241212, at *1 (E.D. Pa. Nov. 20, 2025)
- *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025)
- *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403 (C.D. Cal. Nov. 19, 2025)
- *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004)
- *Carafas v. LaVallee*, 391 U.S. 234, 238 (1968)
- *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973)
- *I.N.S. v. St. Cyr*, 533 U.S. 289, 301 (2001)
- *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001)
- *Demore v. Kim*, 538 U.S. 510, 517 (2003)
- *Trump v. J. G. G.*, 604 U.S. 670, 672 (2025) (per curiam)
- *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000)
- *Arce v. United States*, 899 F.3d 796, 801 (9th Cir. 2018) (per curiam)
- *Herrera v. Knight*, No. 2:25-CV-01366-RFB-DJA, 2025 WL 2581792, at *13 (D. Nev. Sept. 5, 2025)

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