

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA

Marvin DeJesus Salinas Rodas v. Jeffrey Crawford, et al.

Salinas Rodas · No. 3:26cv289 (DJN) · Decided May 4, 2026

SUMMARY

The Eastern District of Virginia dismissed Marvin DeJesus Salinas Rodas’s 28 U.S.C. § 2241 petition challenging his immigration detention and seeking a bond hearing. The court relied on an earlier decision finding that he had already received a bond hearing and further concluded that the petition was subject to dismissal as an abuse of the writ.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia
WRITING FOR THE COURT	David J. Novak
JURISDICTION	United States District Court for the Eastern District of Virginia
DECIDED	May 4, 2026
DOCKET	3:26cv289 (DJN)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 by a detained noncitizen, dismissed after the court determined that the petitioner had previously litigated substantially the same bond-hearing claim and had already received a bond hearing.
STANDARD OF REVIEW	Abuse-of-the-writ review of a successive federal habeas petition; the court also applied mootness principles to the request for a bond hearing.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Marvin DeJesus Salinas Rodas v. Jeffrey Crawford, et al.

TOPICS

- federal habeas corpus
- immigration detention
- successive petitions
- post-conviction relief
- immigration

PRACTICE AREAS

- immigration
- federal habeas corpus
- post-conviction relief
- civil procedure

QUESTIONS PRESENTED

1. Whether the § 2241 petition should be dismissed because the petitioner had already received a bond hearing and therefore could not obtain the requested relief.
2. Whether the petition should be dismissed as an abuse of the writ because the claims had been raised and adjudicated in an earlier habeas petition.
3. Whether the petitioner demonstrated that the ends of justice warranted reconsideration of the claims.

HOLDINGS

1. The petition was subject to dismissal because the petitioner had already received a bond hearing before an Immigration Judge, which was the only relief the court could provide, and the independent danger-to-the-community finding meant that further relief was unavailable from this court.
2. The court dismissed the § 2241 petition as an abuse of the writ because the petitioner had raised and litigated the same claims in an earlier petition and had not shown that the ends of justice required reconsideration.

KEY QUOTATIONS

“Based on the Immigration Judge’s independent grounds for denying bond, Salinas-Rodas’s Petition is moot because he has already received the only relief he can obtain from this Court: a bond hearing before an Immigration Judge, who must determine whether he poses a danger to the community, and whether he is a flight risk.” (ECF No. 5-1 at 4-5)

“Under the abuse of the writ doctrine, a federal habeas court “could decline to hear a claim that was both raised and adjudicated in an earlier petition.”” (Memorandum Opinion)

“Nevertheless, “[e]ven if the same ground was rejected on the merits on a prior application, it is open to the applicant to show that the ends of justice would be served by permitting the redetermination of the ground.”” (Memorandum Opinion)

FACTUAL BACKGROUND

Marvin DeJesus Salinas Rodas, a native and citizen of El Salvador, was detained by immigration authorities and filed a § 2241 petition challenging the denial of a bond hearing. He had previously received a bond hearing on December 16, 2025, at which an Immigration Judge denied a change in custody status based on the jurisdictional view expressed in *Matter of Yajure Hurtado* and, independently, a finding that he posed a danger to the community based on the circumstances of a 2020 arrest. Salinas Rodas filed the present petition without disclosing his earlier similar petition.

PROCEDURAL HISTORY

Salinas Rodas filed a § 2241 petition asserting that he was improperly denied a bond hearing because the immigration court treated him as detained under 8 U.S.C. § 1225(b) rather than § 1226(a). He had previously filed a similar § 2241 petition in the Alexandria Division, which was denied after the court found that he had already received a bond hearing and that an independent danger-to-the-community finding made the requested

relief unavailable. The present court dismissed the petition both for the reasons stated in the earlier decision and as an abuse of the writ.

DISPOSITION

dismissed

CASES CITED

- Matter of Yajure Hurtado, 27 I. & N. Dec. 216 (BIA 2025)
- Mathews v. Diaz, 426 U.S. 67, 81 (1976)
- Santos Garcia v. Garland, 2022 WL 989019, at *7 (E.D. Va. Mar. 31, 2022)
- McCleskey v. Zant, 499 U.S. 467, 479-88, 489 (1991)
- Stanko v. Davis, 617 F.3d 1262, 1270 (10th Cir. 2010)
- Sanders v. United States, 373 U.S. 1, 11-12, 16 (1963)

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