

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

**Christian Yair De La Cruz Guillermo v. Derrick Stamper, in his
official capacity as Chief Patrol Agent of Houlton Sector, U.S. Border
Patrol, et al.**

No. 2:26-cv-00040-JAW (D. Me. Jan. 28, 2026) · No. No. 2:26-cv-00040-JAW · Decided January 28, 2026

SUMMARY

The United States District Court for the District of Maine grants Christian Yair De La Cruz Guillermo’s petition for a writ of habeas corpus. The court holds that 8 U.S.C. § 1226(a), rather than the mandatory-detention provisions of § 1225(b)(2), governs his detention and requires the government to provide a bond hearing within fourteen days. The court also orders the government to produce the warrant authorizing his arrest.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	John A. Woodcock, Jr.
JURISDICTION	United States District Court for the District of Maine
DECIDED	January 28, 2026
DOCKET	No. 2:26-cv-00040-JAW
DISPOSITION	granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus challenging immigration detention and seeking a bond hearing; the parties stipulated that there were no factual disputes and submitted the matter on their briefs without oral argument.
STANDARD OF REVIEW	The court reviewed the stipulated facts pleaded in the verified petition and accompanying attachments and resolved the habeas petition on the parties' briefing. For the procedural due-process claim, the court applied the three-factor balancing test from Mathews v. Eldridge. The petitioner bore the burden of showing by a preponderance of the evidence that his detention violated the Fifth Amendment Due Process Clause.
PRECEDENTIAL VALUE	unpublished district court order; precedential status unknown

PARTIES

Christian Yair De La Cruz Guillermo v. Derrick Stamper, in his official capacity as Chief Patrol Agent of Houlton Sector, U.S. Border Patrol, et al.

TOPICS

immigration detention

procedural due process

due process

statutory interpretation

removal proceedings

PRACTICE AREAS

immigration law

habeas corpus

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the court had habeas jurisdiction because Guillermo was physically present in the District of Maine when his petition was filed.
2. Whether 8 U.S.C. § 1225(b)(2)'s mandatory-detention scheme applied to Guillermo, a noncitizen who had resided continuously in the United States since 2023.
3. Whether detention without a bond hearing violated Guillermo's procedural due-process rights under the Fifth Amendment.
4. Whether respondents were required to produce the warrant authorizing Guillermo's arrest under 8 U.S.C. § 1226(a).

HOLDINGS

1. The court retained jurisdiction over Guillermo's habeas petition because he was physically present in the District of Maine and in custody there when the petition was filed.
2. Section 1225(b)(2)'s mandatory-detention scheme did not apply to Guillermo because he was a noncitizen already residing in the United States and was not actively seeking admission. He was instead subject to discretionary detention under § 1226(a).
3. Because Guillermo was detained under § 1226(a), he was entitled to a bond hearing before an Immigration Judge. Respondents' continued detention of him without a bond hearing violated the Fifth Amendment Due Process Clause.
4. Respondents were required to produce the warrant authorizing Guillermo's January 15, 2026 arrest.

KEY QUOTATIONS

“with respect to habeas petitions ‘designed to relieve an individual from oppressive confinement,’ the traditional rule has always been that the Great Writ is ‘issuable only in the district of confinement.’” (III.A)

“§ 1225(b)(2) ‘authorizes the Government to detain certain aliens seeking admission into the country under,’ while § 1226(a) ‘authorizes the Government to detain certain aliens already in the country pending the outcome of removal proceedings.’” (III.B.1)

“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the [Fifth Amendment’s Due Process Clause] protects” (III.B.3)

FACTUAL BACKGROUND

Guillermo, a citizen of Mexico, entered the United States without inspection on or about July 21, 2023, and resided in the United States thereafter. ICE arrested him at a construction worksite in Bethel, Maine, on January 15, 2026. The government detained him under the mandatory-detention provision of 8 U.S.C. § 1225(b)(2), while Guillermo argued that, as a noncitizen already residing in the United States, he was subject to discretionary detention under 8 U.S.C. § 1226(a) and entitled to a bond hearing. Respondents did not contest his allegation that he was arrested without a warrant and made no showing that he posed a danger or flight risk.

PROCEDURAL HISTORY

U.S. Immigration and Customs Enforcement arrested Guillermo on January 15, 2026. He filed a verified habeas petition on January 22, 2026, and the court issued emergency orders concerning transfer and access to counsel. After respondents conceded that Guillermo was physically present in the District of Maine when the petition was filed and that the court retained jurisdiction, the court ordered respondents to show cause. Respondents opposed the petition but conceded that the case was not substantially distinguishable from recent decisions rejecting the Department of Homeland Security’s interpretation of 8 U.S.C. § 1225(b)(2). The court granted the petition, ordered a bond hearing within fourteen days, enjoined denial of a hearing based on § 1225(b)(2), and ordered production of the arrest warrant.

DISPOSITION

granted

REMAND INSTRUCTIONS

No remand. Respondents must provide Guillermo a bond hearing under 8 U.S.C. § 1226(a)(2) within fourteen days, may not deny the hearing on the ground that § 1225(b)(2) applies, must file a status report within five days after the hearing, and must produce the arrest warrant by January 30, 2026.

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 435, 442 (2004)
- *Carbo v. United States*, 364 U.S. 611, 618 (1961)
- *United States v. Hayman*, 342 U.S. 205, 213 (1952)
- *Ahrens v. Clark*, 335 U.S. 188, 190 (1948)
- *Jennings v. Rodriguez*, 583 U.S. 281, 287-89, 297 (2018)
- *Department of Homeland Security v. Thuraissigiam*, 591 U.S. 103, 108 (2020)
- *Gomes v. Hyde*, No. 1:25-cv-11571, 2025 U.S. Dist. LEXIS 128085, at *4-5 (D. Mass. July 7, 2025)
- *Hernandez-Lara v. Lyons*, 10 F.4th 19, 27-28, 33, 41 (1st Cir. 2021)

- Mercado v. Francis, No. 25-cv-6582 (LAK), 2025 U.S. Dist. LEXIS 232876, at *9-10 & n.22 (S.D.N.Y. Nov. 26, 2025)
- Lopez v. Trump, No. 2:25-cv-863, 2025 U.S. Dist. LEXIS 233128, at *6 (D. Vt. Nov. 17, 2025)
- Caiza v. Scott, No. 1:25-cv-00500-JAW, 2025 U.S. Dist. LEXIS 195270, at *7-8 (D. Me. Oct. 2, 2025)
- Chogllo Chaffla v. Scott, No. 2:25-cv-00437-SDN, 2025 U.S. Dist. LEXIS 184909, at *29, *34-35 (D. Me. Sept. 21, 2025)
- Sampiao v. Hyde, No. 1:25-cv-11981-JEK, 2025 U.S. Dist. LEXIS 175513, at *25-26 (D. Mass. Sept. 9, 2025)
- Zadvydas v. Davis, 533 U.S. 678, 690, 693 (2001)
- De Oliveira v. Joyce, No. 2:25-cv-00291-LEW, 2025 U.S. Dist. LEXIS 125776, at *8 (D. Me. July 2, 2025)
- Aditya W.H. v. Trump, 782 F. Supp. 3d 691, 703 (D. Minn. 2025)
- Hamdi v. Rumsfeld, 542 U.S. 507, 529 (2004)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)