

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

Luis Anibal Castillo Chacon v. Philip Rhoney, et al.

No. 6:26-CV-6030-EAW (W.D.N.Y. Jan. 13, 2026) · No. 6:26-CV-6030-EAW · Decided January 13, 2026

SUMMARY

The United States District Court for the Western District of New York granted Luis Anibal Castillo Chacon’s habeas petition to the extent it sought a bond hearing concerning his civil immigration detention. The Court ordered an immigration judge to conduct a hearing under specified standards, including the government’s burden to prove dangerousness or flight risk by clear and convincing evidence and consideration of alternatives to detention and the petitioner’s ability to pay.

CASE DETAILS

COURT	United States District Court for the Western District of New York
JURISDICTION	United States District Court for the Western District of New York
DECIDED	January 13, 2026
DOCKET	6:26-CV-6030-EAW
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 by a civil immigration detainee seeking a bond hearing.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- immigration detention
- removal proceedings
- procedural due process
- due process
- civil procedure

PRACTICE AREAS

- immigration detention
- immigration habeas corpus
- federal civil procedure
- constitutional law

QUESTIONS PRESENTED

1. Whether Petitioner was entitled to a bond hearing because his detention was governed by 8 U.S.C. § 1226 rather than the mandatory-detention provision of 8 U.S.C. § 1225(b)(2).
2. What procedures must govern the bond hearing, including the burden of proof, consideration of alternatives to detention, and consideration of Petitioner's ability to pay.

HOLDINGS

1. Noncitizens who are present in the United States without having been admitted or paroled are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2), but instead are subject to detention under 8 U.S.C. § 1226.
2. Petitioner is entitled to a bond hearing before an immigration judge.
3. At the bond hearing, the government must demonstrate dangerousness or flight risk by clear and convincing evidence.
4. The immigration judge must consider whether less-restrictive alternatives can reasonably address the government's interests, and, if bond is set, must consider Petitioner's ability to pay and alternative conditions of release.

KEY QUOTATIONS

“At this bond hearing, the government will have the burden to demonstrate dangerousness or flight risk by clear and convincing evidence.”

“If the IJ finds that the government has not met its burden, then in setting any bond the IJ must consider Petitioner’s ability to pay and alternative conditions of release.”

FACTUAL BACKGROUND

Luis Anibal Castillo Chacon was detained by the Buffalo Field Office of U.S. Immigration and Customs Enforcement while removal proceedings were pending. He alleged that his detention violated the United States Constitution and sought relief under 28 U.S.C. § 2241. The record and the Court's referenced prior decisions concerned whether a noncitizen present in the United States without having been admitted or paroled was subject to mandatory detention under 8 U.S.C. § 1225(b)(2) or detention under § 1226.

PROCEDURAL HISTORY

Petitioner challenged his continued detention by U.S. Immigration and Customs Enforcement while removal proceedings were pending. The Court ordered Respondents to show cause why the petition should not be granted to the extent it sought a bond hearing. Respondents acknowledged that the Court's prior decisions addressed the same or similar detention issue and would require a bond hearing. The Court granted the petition in part and ordered a bond hearing under specified procedures.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner a bond hearing before an immigration judge on or before January 21, 2026, subject to a reasonable continuance requested by Petitioner. The government must prove dangerousness or flight risk by clear and convincing evidence. The immigration judge must consider less-restrictive alternatives,

Petitioner's ability to pay, and alternative conditions of release, and must make findings that no condition or combination of conditions can reasonably ensure Petitioner's appearance and community safety before continuing detention. Respondents must file a status update by January 23, 2026.

CASES CITED

- Quituizaca Quituisaca v. Bondi, No. 6:25-CV-6527-EAW, 2025 WL 3264440 (W.D.N.Y. Nov. 24, 2025)
- Lieogo v. Freden, No. 6:25-CV-06615 EAW, 2025 WL 3290694 (W.D.N.Y. Nov. 26, 2025)

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