

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Cesar Daniel Rangel Ramirez v. Brian Henkey, et al.

Cesar Daniel Rangel Ramirez v. Brian Henkey, Case No. 2:25-cv-02446-RFB-MDC (D. Nev. Dec. 24, 2025) · No. 2:25-cv-02446-RFB-MDC · Decided December 24, 2025

SUMMARY

The United States District Court for the District of Nevada grants Cesar Daniel Rangel Ramirez’s habeas petition challenging his detention under 8 U.S.C. § 1225(b)(2). The court holds that he is subject to detention under § 1226(a), and that continued detention without an individualized bond hearing violates procedural and substantive due process. Respondents are ordered to provide a bond hearing by December 30, 2025, or immediately release him.

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 24, 2025
DOCKET	2:25-cv-02446-RFB-MDC
DISPOSITION	granted
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his detention without a bond hearing. After Respondents failed to timely respond and sought a second extension, the court resolved the petition without a response and granted habeas relief.
STANDARD OF REVIEW	The court reviewed the legality of Petitioner's custody under the federal habeas statute and applied the Mathews v. Eldridge balancing test to the procedural due process claim.
PRECEDENTIAL VALUE	district court order; nonprecedential outside the case
PARTIES	Cesar Daniel Rangel Ramirez v. Brian Henkey, et al.

TOPICS

- immigration detention
- procedural due process
- substantive due process
- removal proceedings
- statutory interpretation

PRACTICE AREAS

immigration

constitutional law

civil procedure

habeas corpus

civil rights

QUESTIONS PRESENTED

1. Whether the district court had habeas jurisdiction to review Petitioner's immigration detention notwithstanding the INA's jurisdiction-stripping provisions.
2. Whether Respondents' failure to timely respond and repeated requests for extensions warranted deciding the habeas petition without a response.
3. Whether Petitioner was subject to detention under 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2)(A), based on his entry and later arrest away from a port of entry.
4. Whether detention without an opportunity for an individualized bond hearing violated Petitioner's procedural and substantive due process rights.
5. What relief was appropriate to remedy the unlawful detention.

HOLDINGS

1. The court may decide the habeas petition without a response where Respondents' repeated, inadequately justified delays would excessively delay resolution of a liberty-related habeas proceeding; the court granted relief without treating the failure to respond as an automatic entitlement to default judgment.
2. The 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 to that challenge.
3. Administrative exhaustion was excused as futile.
4. Petitioner was subject to detention under 8 U.S.C. § 1226(a) and its implementing regulations, not mandatory detention under § 1225(b)(2)(A); the government's contrary interpretation and detention policy were unlawful as applied to him.
5. Detaining Petitioner without an opportunity for release on bond violated procedural due process under the Fifth Amendment.
6. Petitioner's continued immigration detention without an individualized special or compelling justification violated substantive due process.

KEY QUOTATIONS

“There are no existing procedures whatsoever for Petitioner to challenge his detention pending the conclusion of his removal proceedings without the opportunity for release on bond.” (at 7)

“Respondents have asserted absolutely no individualized justification—let alone a special or compelling justification—to continue to deprive Petitioner of his physical liberty.” (at 10)

“IT IS FURTHER ORDERED that if the individualized bond hearing is not conducted by December 30, 2025, Petitioner shall be immediately released until it is determined that his detention is warranted under 8 U.S.C. § 1226(a).” (at 13)

FACTUAL BACKGROUND

Rangel Ramirez, a 21-year-old Venezuelan citizen, entered the United States as an unaccompanied minor in 2022, was inspected by immigration authorities, and was released to his aunt. He continuously resided in the United States, possessed a valid work permit, had a pending asylum application, had complied with immigration proceedings, and had no criminal history. ICE arrested him in Idaho on December 1, 2025, and detained him at Nevada Southern Detention Center without a removability hearing or bond hearing.

PROCEDURAL HISTORY

Rangel Ramirez filed the petition on December 9, 2025. The court ordered Respondents to show cause, granted a partial extension, and then denied Respondents' second extension request after the response deadline had passed. The court proceeded to decide the petition on the existing record, ordered a bond hearing by December 30, 2025, and required release if the hearing was not timely provided.

DISPOSITION

granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner with an individualized bond hearing under 8 U.S.C. § 1226(a) by December 30, 2025. If the hearing is not timely conducted, Petitioner must be immediately released until it is determined that detention is warranted. If bond is granted, Respondents may not invoke the automatic stay to continue detention, and Petitioner must be allowed until February 13, 2026, to satisfy monetary bond conditions. The parties must file a status report by December 31, 2025.

CASES CITED

- Livia Vicharra v. Henkey, No. 2:25-cv-02336-RFB-EJY, 2025 WL 3564725, at *1 n.1 (D. Nev. Dec. 12, 2025)
- Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025)
- Escobar Salgado v. Mattos, 2025 WL 3205356 (D. Nev. Nov. 17, 2025)
- Barco Mercado v. Francis, No. 1:25-CV-06852, at *9-10 (S.D.N.Y. Nov. 26, 2025)
- Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025)
- Hamdi v. Rumsfeld, 542 U.S. 507, 525, 529 (2004)
- Carafas v. LaVallee, 391 U.S. 234, 238 (1968)
- Preiser v. Rodriguez, 411 U.S. 475, 484, 495 (1973)
- I.N.S. v. St. Cyr, 533 U.S. 289, 301 (2001)
- Zadvydas v. Davis, 533 U.S. 678, 687, 690-92 (2001)
- Demore v. Kim, 538 U.S. 510, 517, 532-33 (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)
- Gordon v. Duran, 895 F.2d 610, 612 (9th Cir. 1990)
- Ruiz v. Cady, 660 F.2d 337, 340-41 (7th Cir. 1981)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- Aroldo Rodriguez Diaz v. Merrick Garland, Rodriguez Diaz v. Garland, 53 F.4th 1189, 1203-10 (9th Cir. 2022)
- United States v. Salerno, 481 U.S. 739, 755 (1987)
- Aparicio v. Noem, No. 2:25-CV-01919-RFB-DJA, 2025 WL 2998098 (D. Nev. Oct. 23, 2025)
- Berto Mendez v. Noem, No. 2:25-cv-02602-RFB-MDC, 2025 WL 3124285 (D. Nev. Nov. 7, 2025)
- Hernandez v. Sessions, 872 F.3d 976, 996 (9th Cir. 2017)
- Herrera v. Knight, No. 2:25-CV-01366-RFB-DJA, 2025 WL 2581792, at *13 (D. Nev. Sept. 5, 2025)
- Hernandez Duran v. Bernacke, No. 2:25-cv-2105-RFB-EJY, 2025 WL 3237451 (D. Nev. Nov. 19, 2025)
- Jacobo Ramirez v. Noem, No. 2:25-cv-02136-RFB-MDC, 2025 WL 3270137 (D. Nev. Nov. 24, 2025)

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