

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Rene Angel Martinez-Cruz v. Warden Luis Soto, et al.

Civil Action No. 25-18254 (MCA) (D.N.J. Dec. 9, 2025) · No. 25-18254 (MCA) · Decided December 9, 2025

SUMMARY

The United States District Court for the District of New Jersey reviewed Rene Angel Martinez-Cruz’s emergency petition for habeas corpus under 28 U.S.C. § 2241 challenging his ICE detention, arrest, and alleged use of excessive force. The court temporarily enjoined Respondents from transferring Martinez-Cruz out of the District or removing him from the United States while the matter was pending under the All Writs Act. The court denied the transfer-related portion of the temporary restraining order as moot, denied the remaining TRO request without prejudice for failure to satisfy notice requirements, and ordered Respondents to answer the petition within 14 days.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Madeline Cox Arleo
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 9, 2025
DOCKET	25-18254 (MCA)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed an emergency petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration arrest and detention, together with a motion for a temporary restraining order seeking transfer and removal-related relief.
STANDARD OF REVIEW	Preliminary screening under Rule 4 of the Rules Governing Section 2254 Cases, applied to § 2241 petitions through Rule 1(b); the court also applied the notice requirements governing ex parte temporary restraining orders under Fed. R. Civ. P. 65(b)(1).
PRECEDENTIAL VALUE	unpublished
PARTIES	Rene Angel Martinez-Cruz v. Warden Luis Soto, et al.

TOPICS

- immigration detention
- federal habeas corpus
- injunctions
- removal proceedings
- civil procedure

PRACTICE AREAS

immigration detention

federal habeas corpus

civil procedure

injunctive relief

QUESTIONS PRESENTED

1. Whether the court should dismiss the § 2241 habeas petition at the preliminary Rule 4 screening stage before Respondents filed an answer and the record was submitted.
2. Whether the court could temporarily enjoin Respondents from transferring Petitioner from the District or removing him from the United States under the All Writs Act to preserve the status quo while the habeas petition was pending.
3. Whether Petitioner satisfied Fed. R. Civ. P. 65(b)(1)'s requirements for a temporary restraining order issued without notice.

HOLDINGS

1. Dismissal of the § 2241 petition before submission of an answer and the relevant record was not warranted.
2. Under its authority under the All Writs Act, 28 U.S.C. § 1651(a), the court could temporarily enjoin Respondents from transferring Petitioner from the District or removing him from the United States while the matter was pending.
3. Petitioner did not satisfy Fed. R. Civ. P. 65(b)(1)'s notice requirements for an ex parte TRO because counsel did not certify in writing the efforts made to provide notice or explain why notice should not be required.

KEY QUOTATIONS

“This Court likewise relies on its inherent authority under the All Writs Act to preserve the status quo until this matter may be heard on the merits.”

FACTUAL BACKGROUND

Petitioner was arrested and detained by Immigration and Customs Enforcement and was being held at Delaney Hall. He alleged that his detention under 8 U.S.C. § 1225(b)(2)(A) was unlawful, that ICE agents arrested him without a warrant or probable cause, and that excessive force was used during the arrest. He sought habeas relief, immediate release, and an order preventing his transfer or removal while the habeas matter was pending.

PROCEDURAL HISTORY

The District of New Jersey conducted the preliminary review required by Rule 4 of the Rules Governing Section 2254 Cases, applied to § 2241 proceedings through Rule 1(b), and determined that dismissal before an answer and production of the record was not warranted. The court temporarily enjoined Respondents from transferring Petitioner from the District or removing him from the United States under the All Writs Act, denied as moot the corresponding portion of the TRO motion, and denied the remainder of the TRO motion without prejudice for failure to satisfy Rule 65(b)(1)'s notice requirements. The court ordered Respondents to answer within 14 days and permitted Petitioner to reply within seven days after the answer.

DISPOSITION

other

CASES CITED

- Rivera Zumba v. Bondi, No. 25-cv-14626, 2025 WL 2476524, at *8 (D.N.J. Aug. 28, 2025)
- Arostegui-Maldonado v. Baltazar, No. 25-cv-2205, 2025 WL 2280357, at *16 (D. Colo. Aug. 8, 2025)
- Abrego Garcia v. Noem, No. 8:25-cv-00951, 2025 WL 2062203, at *6 (D. Md. July 23, 2025)

OPINION

UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY RENE ANGEL MARTINEZ-CRUZ, Civil Action No, 25-18254 (MCA) Petitioner, MEMORANDUM & ORDER WARDEN LUIS SOTO, et al., Respondents, Petitioner has filed an “Emergency Petition” for writ of habeas corpus pursuant to 28 U.S.C. § 2241, which challenges his arrest and detention by Immigration and Customs Enforcement (“ICE”) (ECF No, 1), and a Motion for a Temporary Restraining Order (“TRO”) (ECF No, 10) seeking to enjoin Respondents from transferring him out of this District while the matter is pending and ordering his immediate release based on violations of federal law and his constitutional rights.!

The Court has reviewed the Petition under Rule 4 of the Rules governing habeas petitions and finds that dismissal is not warranted. The Court sets an expedited briefing schedule and, pursuant to its authority under the All Writs Act, 28 U.S.C. § 1651(a), temporarily enjoins Respondents from transferring Petitioner from this District or removing him from the United States while this matter is pending,” ‘ Specifically, Petitioner asserts that his detention under 8 U.S.C. § 1225(b)(2) (A) is unlawful and that ICE agents arrested him without a warrant or probable cause and used excessive force during his arrest.

(ECF No, 1, Petition at Jf 1-6.) * Petitioner requests that the Court enjoin his transfer while this matter is pending. The ICE detainee locator indicates that Petitioner is currently detained at Delaney Hall. See ICE Detainee Locator, available at <https://locator.ice.gow/odis/#/results> (last visited December 9, 2025). Courts in this District and around the country have used their inherent authority under the All Writs Act As noted above, Petitioner also seeks a TRO to enjoin his transfer and order immediate release based on constitutional violations.

The Court denies as moot the portion of the TRO seeking to enjoin his transfer and removal, as the Court has granted that relief under the All Writs Act. The Court otherwise denies without prejudice the TRO because Petitioner has not met the notice requirements for a TRO, which are set forth in Fed. R. Civ. P, 65.7 Here, Petitioner’s counsel has not certified in writing his efforts to give notice or explained why it should not be required.

THEREFORE, it is on this 9th day of December 2025, to enjoin the transfer or removal of noncitizens while their habeas petitions are pending. See *Rivera Zumba v. Bondi*, No. 25-cv-14626, 2025 WL 2476524, at *8 (D.N.J. Aug. 28, 2025); see also *Arostegui-Maldonado v. Baltazar*, --F. Supp.3d --, No. 25-cv-2205, 2025 WL 2280357, at *16 (D. Colo. Aug. 8, 2025) (relying on the All Writs Act to enter an injunction preventing immigration detainee's transfer out of the District of Colorado during the pendency of his habeas action); *Abrego Garcia v. Noem*, No. 8:25-cv-00951, 2025 WL 2062203, at *6 (D.

Md. Jul. 23, 2025) (relying on the All Writs Act to limit petitioner's transfer to three nearby districts), This Court likewise relies on its inherent authority under the All Writs Act to preserve the status quo until this matter may be heard on the merits. 3 Under Fed. R. Civ. P. 65(b)(1), which applies to TROs issued without notice, the Court may issue a TRO under the following circumstances: (1) Issuing Without Notice.

The court may issue a temporary restraining order without written or oral notice to the adverse party or its attorney only if: (A) specific facts in an affidavit or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and (B) the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.

ORDERED that pursuant to the Court's authority under the All Writs Act, 28 U.S.C. § 1651(a) Respondents are TEMPORARILY ENJOINED from removing Petitioner from this District or from the United States while this matter is pending; and it is further ORDERED that the Motion for a TRO (ECF No. 10) enjoining transfer or removal is DENIED IN PART AS MOOT in light of the Court's Order temporarily enjoining transfer under the All Writs Act; and it is further ORDERED that the Motion for a TRO (ECF No. 10) is otherwise DENIED WITHOUT PREJUDICE for failing to meet the notice requirements of Fed. R. Civ.

P. 65(b)(1); and it is further ORDERED that, in accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to § 2241 cases through Rule 1(b), this Court has examined the Petition and determined that dismissal of the Petition prior to submission of an answer and the record is not warranted; and it is further ORDERED that the Clerk of the Court shall serve copies of the Petition and this Order upon respondents by regular mail, with all costs of service advanced by the United States, and it is further ORDERED that the Clerk of the Court shall forward a copy of the Petition and this Order to Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; and it is further ORDERED that within 14 days, Respondents shall electronically file a full and complete answer to said Petition, which responds to the factual and legal allegations of the Petition; and it is further ORDERED that the answer shall state the statutory authority for petitioner's detention, see 28 U.S.C. § 2243, and provide the relevant legal analysis and record; and it is further ORDERED that Respondents shall

raise in the answer any appropriate defenses and relevant legal arguments with citations to appropriate legal authority; and it is further ORDERED that Respondents shall electronically file with the answer certified copies of the administrative record and all other documents relevant to petitioner's claims; and it is further ORDERED that all exhibits to the Answer must be identified by a descriptive name in the electronic filing entry, for example: □ "Exhibit #1 Transcript of [type of proceeding] held on XX/XX/XXXX" or "Exhibit #2 Opinion entered on XX/XX/XXXX by Judge YYYY"; and it is further ORDERED that Petitioner may file and serve a reply in support of the Petition within 7 days after the answer is filed. It adeline Cox Arleo United States District Judge