

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Naidelyn Samantha Vicente Cifuentes v. Luis Soto, et al.

Vicente Cifuentes v. Soto · No. 3:25-cv-18603 (GC) · Decided January 14, 2026

SUMMARY

The United States District Court for the District of New Jersey dismissed without prejudice as moot a counseled 28 U.S.C. § 2241 habeas petition challenging the petitioner's pre-removal detention and the delay in review of a negative credible fear determination. The court held that the immigration judge's subsequent final order of removal converted the petitioner's custody to post-removal detention under 8 U.S.C. § 1231 and mooted the pre-removal detention claims.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Georgette Castner
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	January 14, 2026
DOCKET	3:25-cv-18603 (GC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner, an immigration detainee, filed a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the timeliness of review of a negative credible-fear determination and the statutory basis for her detention. After the petition was filed, an immigration judge affirmed the negative credible-fear determination and issued a final expedited removal order. The district court dismissed the petition without prejudice as moot.
STANDARD OF REVIEW	The court assessed whether Petitioner's habeas claims remained justiciable after entry of a final removal order and whether the requested relief was within the district court's jurisdiction.
PRECEDENTIAL VALUE	unpublished, nonprecedential
PARTIES	Naidelyn Samantha Vicente Cifuentes v. Luis Soto, Ruben A. Perez, Kristi Noem, Pam Bondi

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QUESTIONS PRESENTED

1. Whether entry of a final expedited removal order mooted Petitioner's claims challenging pre-removal detention and the allegedly untimely review of her negative credible-fear determination.
2. Whether the district court could review or rescind the validity of the final order of removal.

HOLDINGS

1. The entry of the final order of removal converted Petitioner's custody from pre-removal detention to post-removal detention under 8 U.S.C. § 1231, rendering moot any request for habeas relief concerning pre-removal detention.
2. The district court lacks jurisdiction to review the validity of a final order of removal; judicial review must be pursued through a petition for review in the appropriate court of appeals.

KEY QUOTATIONS

“The entry of a final removal order “convert[s] [petitioner's] custody from a pre-removal detention to a post-removal detention” under § 1231, which “renders moot any assessment of whether petitioner's detention warrants pre-removal habeas relief.””

“A petition for review filed with an appropriate court of appeals . . . shall be the sole and exclusive means for judicial review of an order of removal”

FACTUAL BACKGROUND

Petitioner, a Guatemalan national, arrived at the United States-Mexico border in December 2013 with her mother and brother and was paroled into the United States after expedited removal proceedings were initiated. Following a November 14, 2025 credible-fear interview, an asylum officer found that the family failed to establish credible fear, and Petitioner was detained by DHS. She filed a habeas petition alleging that review by an immigration judge had not occurred within the regulatory deadline and that she was being detained under the wrong statutory provisions. On December 23, 2025, the immigration judge affirmed the negative credible-fear determination and issued a final order of removal.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition on December 14, 2025. On December 23, 2025, an immigration judge affirmed the negative credible-fear determination and ordered Petitioner's removal. The court had previously ordered an individualized bond hearing under 8 U.S.C. § 1226(a), but Respondents argued that the subsequent final removal order changed the applicable detention framework and mooted Petitioner's claims. The court dismissed the petition without prejudice as moot and closed the matter.

DISPOSITION

dismissed

CASES CITED

- Chen v. Soto, No. 25-17198, 2025 WL 3527239 (D.N.J. Dec. 9, 2025)
- In Matter of Yajure Hurtado, 29 I. & N. Dec. 216 (BIA 2025)
- Mejia Rivera v. Florentino, No. 25-18063, 2025 WL 3765061, at *2 (D.N.J. Dec. 30, 2025)
- Nasrallah v. Barr, 590 U.S. 573, 579-582 (2020)
- Duyzings v. Warden, FCI Fort Dix, No. 23-cv-21574, 2024 WL 1406647, at *3 (D.N.J. Apr. 2, 2024)
- Deshati v. Noem, No. 25-cv-15940, 2025 WL 3204227, at *2 (D.N.J. Nov. 17, 2025)
- Noah Zhe v. Green, No. 17-7182, 2017 WL 4407934, at *2 (D.N.J. Oct. 4, 2017)
- Rodney v. Mukasey, 340 F. App'x 761, 764 (3d Cir. 2009)
- Quezada v. Hendricks, 821 F. Supp. 2d 702, 708 (D.N.J. 2011)

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