

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Jose Paz Molina v. Gregory J. Archambeault, et al.

No. 25-cv-3629-AGS-MMP (S.D. Cal. Dec. 17, 2025) · No. 25-cv-3629-AGS-MMP · Decided December 17,
2025

SUMMARY

The United States District Court for the Southern District of California ordered respondents to respond to Jose Paz Molina’s 28 U.S.C. § 2241 petition challenging his immigration detention. The court found that the petition had sufficient potential merit regarding whether detention was governed by 8 U.S.C. § 1225(b)(2) or § 1226(a), and whether the petitioner was entitled to a bond hearing. Respondents were ordered to answer by December 26, 2025, with a reply due January 2, 2026, and oral argument scheduled for January 9, 2026.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Andrew G. Schopler
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 17, 2025
DOCKET	25-cv-3629-AGS-MMP
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a 28 U.S.C. § 2241 habeas petition challenging his immigration detention and alleging that respondents unlawfully denied him a bond hearing. The court ordered respondents to answer rather than summarily dismissing the petition.
STANDARD OF REVIEW	At initial habeas screening, the court may summarily dismiss a petition if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief; claims with any potential merit are not subject to summary dismissal.
PRECEDENTIAL VALUE	Nonprecedential district-court interlocutory order
PARTIES	Jose Paz Molina v. Gregory J. Archambeault, et al.

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the § 2241 petition presented a sufficiently cognizable and potentially meritorious claim to warrant a response rather than summary dismissal at the initial screening stage.
2. Whether Maldonado Bautista may have preclusive or otherwise controlling effect on the applicability of 8 U.S.C. § 1225(b)(2) or § 1226(a) to petitioner's detention.

HOLDINGS

1. The petition had sufficient potential merit to warrant a response and was not subject to summary dismissal at that stage.

KEY QUOTATIONS

“But “as long as a petition has any potential merit, it is not so frivolous or incredible as to justify summary dismissal[.]” (at 1)

“This challenge has sufficient potential merit to warrant a response.” (at 2)

FACTUAL BACKGROUND

Jose Paz Molina, a Honduran citizen, had been held in immigration detention since November 4, 2025. He alleged that he was a member of the Bond Denial Class certified in Maldonado Bautista and that respondents treated him as subject to mandatory detention under 8 U.S.C. § 1225(b)(2), rather than detention under § 1226(a) with consideration for release on bond. He claimed that this treatment violated his statutory rights under the INA and the judgment in Maldonado Bautista.

PROCEDURAL HISTORY

Jose Paz Molina filed a federal habeas petition challenging his detention under the Immigration and Nationality Act. At the initial screening stage, the court concluded that the petition had sufficient potential merit to warrant a response. Respondents were ordered to answer by December 26, 2025, petitioner could reply by January 2, 2026, and oral argument was scheduled for January 9, 2026.

DISPOSITION

other

CASES CITED

- Neiss v. Bludworth, 114 F.4th 1038, 1045 (9th Cir. 2024)

- Maldonado Bautista
- Barco Mercado v. Francis, ___ F. Supp. 3d ___, No. 25-cv-6582 (LAK), 2025 WL 3295903, at *4 (S.D.N.Y. Nov. 26, 2025)
- Mosqueda v. Noem, No. 5:25-cv-02304 CAS (BFM), 2025 WL 2591530, at *5 (C.D. Cal. Sept. 8, 2025)
- Vazquez v. Feeley, No. 2:25-cv-01542-RFB-EJY, 2025 WL 2676082, at *11 (D. Nev. Sept. 17, 2025)
- Rodriguez v. Bostock, No. 3:25-cv-05240-TMC, 2025 WL 2782499, at *1 (W.D. Wash. Sept. 30, 2025)

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