

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Elder Benjamin Ortiz Sintuj v. Derrick Stamper, in his official capacity Chief Patrol Agent, U.S. Border Patrol, et al.

Sintuj · No. 2:26-cv-00027-JAW · Decided February 6, 2026

SUMMARY

The District of Maine determined that the Government violated its order requiring the return of Elder Benjamin Ortiz Sintuj to Maine when it released him in Youngstown, Ohio, although the violation was not in bad faith. The court ordered Sintuj released on personal recognizance, barred the Government from re-detaining him without at least 48 hours’ prior notice to counsel, and awarded reasonable attorney’s fees and costs, including his bus fare to Massachusetts.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	John A. Woodcock, Jr.
JURISDICTION	United States District Court for the District of Maine
DECIDED	February 6, 2026
DOCKET	2:26-cv-00027-JAW
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 and related emergency motions concerning immigration detention, transfer, release, and compliance with the court's prior orders.
STANDARD OF REVIEW	The court accepted the parties' stipulated factual representations and applied the clear-and-unambiguous-order standard in determining whether Respondents violated the prior order; it also reviewed the appropriateness of sanctions under the court's broad discretion.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Elder Benjamin Ortiz Sintuj v. Derrick Stamper, in his official capacity as Chief Patrol Agent, U.S. Border Patrol, et al.

TOPICS

- immigration detention
- federal habeas corpus
- sanctions
- attorney fees
- remedies

PRACTICE AREAS

immigration law

habeas corpus

civil procedure

contempt and sanctions

attorney fees and costs

QUESTIONS PRESENTED

1. Whether the court had authority to adjudicate Sintuj's habeas petition despite Respondents' contention that he had left the District of Maine before filing.
2. Whether Respondents violated the court's January 28, 2026 order by releasing Sintuj in Youngstown, Ohio rather than returning him to Maine.
3. Whether Respondents' violation was in bad faith and what sanction was appropriate.
4. Whether Sintuj should remain released and whether Respondents could re-detain him without advance notice to counsel.

HOLDINGS

1. The district-of-confinement rule for a habeas petition is not subject-matter jurisdictional; it concerns personal jurisdiction or venue, and the Government may waive objections based on that rule.
2. Respondents violated the court's January 28, 2026 order by releasing Sintuj in Youngstown, Ohio instead of returning him to Maine.
3. Respondents violated the court's order, but the violation was not in bad faith; an award of reasonable attorney's fees and costs was an appropriate sanction.
4. Sintuj was to remain released on personal recognizance subject to standard conditions, and Respondents could not re-detain him without providing at least forty-eight hours' prior notice to his counsel.

KEY QUOTATIONS

"As a general rule, a habeas petitioner must file his petition in the district where he is confined."
(Discussion)

"Even though the Respondents' release of Mr. Sintuj at 8:30 a.m. in a city in Ohio with which he had no known connection clearly violated the Court's order, in combination with Respondents' representations that their violation of the order was due to organizational dysfunction, the Court does not conclude Respondents violated the January 28, 2026 order in bad faith." (Discussion)

FACTUAL BACKGROUND

ICE arrested and detained Guatemalan citizen Elder Benjamin Ortiz Sintuj in Maine on January 15, 2026. After he filed a habeas petition and emergency motion, Respondents transferred him out of Maine and ultimately to Louisiana, prompting the court to order his return to Maine within five days. Respondents instead transferred him to Youngstown, Ohio and released him there before the deadline expired, after which he traveled by bus to Massachusetts. Respondents conceded that the release violated the return order but maintained that the violation resulted from organizational dysfunction and concern about compliance with the deadline, rather than bad faith.

PROCEDURAL HISTORY

Sintuj filed a § 2241 habeas petition and emergency motion for a temporary restraining order after ICE detained him in Maine. The court issued orders restricting his transfer and removal, later ordered the Government to return him to Maine, and deferred further merits proceedings. Instead of returning him to Maine by the deadline, Respondents released him in Youngstown, Ohio. After a status report and teleconference, the court determined that the release violated its return order, but was not undertaken in bad faith, and entered orders concerning release, advance notice of any re-detention, and attorney's fees and costs.

DISPOSITION

other

CASES CITED

- Rumsfeld v. Padilla, 542 U.S. 426 (2004)
- AccuSoft Corp. v. Palo, 237 F.3d 31, 47 (1st Cir. 2001)
- United States v. Rylander, 460 U.S. 752, 757 (1983)
- Project B.A.S.I.C. v. Kemp, 947 F.2d 11, 16 (1st Cir. 1991)
- Mullane v. Chambers, 333 F.3d 322, 338 (1st Cir. 2003)
- Estate of McIntyre v. United States, 739 F. Supp. 2d 70, 75 (D. Mass. 2010)
- DuPont v. Meserve, No. 2:25-cv-00593-JAW
- Jean Dupont v. Hamilton Meserve, No. 2:25-cv-00593-JAW