

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Francisco Javier Quiroz Figueroa v. Christopher LaRose, et al.

Quiroz Figueroa · No. 25-cv-3623-AGS-DEB · Decided December 17, 2025

SUMMARY

The United States District Court for the Southern District of California orders the respondents to respond to Francisco Javier Quiroz Figueroa’s 28 U.S.C. § 2241 petition challenging his immigration detention. The court finds that his claim—that he is subject to detention under 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2)(A)—has sufficient potential merit to warrant a response and sets deadlines for the response, reply, and oral argument.

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-3623-AGS-DEB
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a 28 U.S.C. § 2241 petition challenging his immigration detention and moved for an order to show cause. The court screened the petition and ordered respondents to answer.
STANDARD OF REVIEW	At habeas-petition screening, summary dismissal is appropriate if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief; a petition with any potential merit is not sufficiently frivolous or incredible to justify summary dismissal.
PRECEDENTIAL VALUE	Unknown; district-court per curiam screening order
PARTIES	Francisco Javier Quiroz Figueroa v. Christopher LaRose, et al.

TOPICS

- immigration detention
- removal proceedings
- statutory interpretation
- due process
- civil procedure

PRACTICE AREAS

Immigration

Federal habeas corpus

Immigration detention

Statutory interpretation

Constitutional due process

QUESTIONS PRESENTED

1. Whether the § 2241 petition stated a sufficiently cognizable and potentially meritorious challenge to petitioner's immigration detention to warrant a response rather than summary dismissal.
2. Whether petitioner's argument that § 1226(a), rather than § 1225(b)(2)(A), governs his detention presented a potentially meritorious statutory and due-process claim.

HOLDINGS

1. The petition should not be summarily dismissed because the challenge to petitioner's immigration detention had sufficient potential merit to warrant a response.

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

Francisco Javier Quiroz Figueroa, a Venezuelan citizen, entered the United States around August 20, 2023, was later released, and was detained by ICE again in August 2025. An immigration judge authorized his release on a \$1,500 bond, but the Board of Immigration Appeals concluded that *Matter of Yajure Hurtado* deprived the immigration judge of jurisdiction because Quiroz Figueroa was treated as an applicant for admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). He challenged that classification, arguing that 8 U.S.C. § 1226(a), rather than § 1225(b)(2)(A), governed his detention and that the detention violated due process.

PROCEDURAL HISTORY

Petitioner alleged that ICE detained him after an immigration judge authorized release on bond and that the Board of Immigration Appeals concluded the immigration judge lacked jurisdiction under *Matter of Yajure Hurtado*. The district court determined that the detention-classification challenge had sufficient potential merit to warrant a response, directed respondents to answer, set a reply deadline, and scheduled oral argument.

DISPOSITION

other

CASES CITED

- *Neiss v. Bludworth*, 114 F.4th 1038, 1045 (9th Cir. 2024)
- *Matter of Yajure Hurtado*, 29 I.&N. Dec. 216 (BIA 2025)

- Barco Mercado y. Francis, 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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