

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Jasson Vincio Ponce Espinoza v. Luis Soto, et al.

Ponce Espinoza v. Soto · No. 2:26-cv-01448 (JXN) · Decided March 9, 2026

SUMMARY

The United States District Court for the District of New Jersey granted Jasson Vincio Ponce Espinoza’s 28 U.S.C. § 2241 petition challenging his mandatory immigration detention. The court held that his detention was governed by 8 U.S.C. § 1226(a), rather than § 1225(b)(2), and ordered Respondents to provide an individualized bond hearing before an immigration judge.

CASE DETAILS

|                       |                                                                                                                                       |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of New Jersey                                                                           |
| WRITING FOR THE COURT | Julien Xavier Neals                                                                                                                   |
| JURISDICTION          | United States District Court for the District of New Jersey                                                                           |
| DECIDED               | March 9, 2026                                                                                                                         |
| DOCKET                | 2:26-cv-01448 (JXN)                                                                                                                   |
| DISPOSITION           | writ_granted                                                                                                                          |
| PROCEDURAL POSTURE    | Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention without an individualized bond hearing. |
| STANDARD OF REVIEW    | The Court interpreted the governing detention statutes de novo, applying the statutes' plain text and structure.                      |
| PRECEDENTIAL VALUE    | Unpublished district-court memorandum and order; persuasive value only.                                                               |
| PARTIES               | Jasson Vincio Ponce Espinoza v. Luis Soto, et al.                                                                                     |

TOPICS

- immigration detention
- statutory interpretation
- immigration
- civil procedure

PRACTICE AREAS

- immigration law
- habeas corpus
- immigration detention

QUESTIONS PRESENTED

1. Whether a noncitizen who entered the United States without inspection in 2023 and was arrested inside the country in 2026 is subject to mandatory detention under 8 U.S.C. § 1225(b)(2), or discretionary detention under 8 U.S.C. § 1226(a).
2. Whether Petitioner was entitled to an individualized bond hearing before an immigration judge.

## HOLDINGS

1. A noncitizen who entered the United States without inspection and was arrested within the interior, rather than while seeking admission or at the border, is detained under the discretionary authority of 8 U.S.C. § 1226(a), not the mandatory-detention provision of § 1225(b)(2).
2. Because Petitioner is detained under § 1226(a), Respondents must provide him with an individualized bond hearing before an immigration judge to assess whether he presents a flight risk or danger to the community.

## KEY QUOTATIONS

*“For nearly 30 years, § 1225 has applied to noncitizens who are either seeking entry to the United States or have a close nexus to the border, and § 1226 has applied to those aliens arrested within the interior of the United States.”*

*“The vast majority of courts confronting this precise issue have rejected Respondents’ interpretation, as well as the BIA’s interpretation in Hurtado, as contradictory to the plain text of § 1225.”*

## FACTUAL BACKGROUND

Petitioner, a citizen of Ecuador, entered the United States without inspection in 2023. ICE arrested him on January 14, 2026, and detained him without an individualized bond hearing on the asserted ground that he was subject to mandatory detention under 8 U.S.C. § 1225(b)(2).

## PROCEDURAL HISTORY

Petitioner filed a § 2241 petition challenging his continued detention under the government's interpretation of 8 U.S.C. § 1225(b)(2). The Court ordered Respondents to answer, and Respondents filed a letter response that did not dispute the material facts. The Court granted the petition, ordered Respondents to treat Petitioner as detained under § 1226(a), and required an individualized bond hearing before an immigration judge.

## DISPOSITION

writ\_granted

## REMAND INSTRUCTIONS

Respondents shall treat Petitioner as detained under 8 U.S.C. § 1226(a) and provide him, as soon as practicable and no later than seven days after the March 9, 2026 order, with an individualized bond hearing before an immigration judge. Respondents must file written notice of the hearing's outcome within three days after the hearing. The Clerk was directed to close the case.

## CASES CITED

- Velasquez v. Noem, No. 25-16797, 2025 WL 3653657 (D.N.J. Dec. 17, 2025)
- Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025)
- Martinez v. Hyde, No. 25-cv-11613, 2025 WL 2084238 (D. Mass. July 24, 2025)
- Jennings v. Rodriguez, 583 U.S. 281 (2018)
- Lopez-Campos v. Raycraft, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025)
- Lopez Benitez v. Francis, No. 25-cv-5937, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025)
- Tyagi v. Soto, No. 26-962, 2026 WL 478184 (D.N.J. Feb. 20, 2026)
- Soto, 2025 WL 2976572
- Belsai D.S. v. Bondi, No. 25-cv-3682, 2025 WL 2802947 (D. Minn. Oct. 1, 2025)
- Zumba, 2025 WL 2753496
- Salazar v. Dedos, No. 25-cv-835, 2025 WL 2676729 (D.N.M. Sept. 17, 2025)
- Lepe v. Andrews, No. 25-cv-01163, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025)
- Roman v. Noem, No. 25-cv-01684, 2025 WL 2710211 (D. Nev. Sept. 23, 2025)
- Giron Reyes v. Lyons, No. 25-cv-4048, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025)
- Singh v. Lewis, No. 25-cv-0096, 2025 WL 2699219 (W.D. Ky. Sept. 22, 2025)
- Barrera v. Tindall, No. 25-cv-541, 2025 WL 2690565 (W.D. Ky. Sept. 19, 2025)
- Hasan v. Crawford, No. 25-cv-1408, 2025 WL 2682255 (E.D. Va. Sept. 19, 2025)
- Vazquez v. Feeley, No. 25-cv-01542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025)
- Loper Bright Enterprises v. Raimondo, 603 U.S. 369 (2024)
- Decatur v. Paulding, 39 U.S. 497 (1840)