

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

**Marlon Castillo Espada v. John Doe, Warden, John Doe, Field Office
Director, Todd M. Lyons, Acting Director, Kristi Noem, Secretary of
Homeland Security, and Pamela Jo Bondi, U.S. Attorney General**

Castillo Espada · No. 5:25-cv-02983-JWH-KES · Decided January 23, 2026

SUMMARY

The United States District Court for the Central District of California accepted and adopted the magistrate judge's final Report and Recommendation and granted Marlon Castillo Espada's habeas petition. The court ordered his immediate release subject to prior supervision conditions and enjoined respondents from re-detaining him unless they followed specified regulatory procedures. Respondents were also ordered to file a status report regarding Espada's custody by January 30, 2026.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE CENTRAL DISTRICT OF
CALIFORNIA 10 11 MARLON CASTILLO ESPADA, Case No. 5:25-cv-02983-JWH-KES 12
Petitioner, ORDER ACCEPTING FINAL 13 v. REPORT AND RECOMMENDATION OF U.S.
14 JOHN DOE, Warden, MAGISTRATE JUDGE JOHN DOE, Field Office Director, 15 TODD
M. LYONS, Acting Director, KRISTI NOEM, Secretary of 16 Homeland Security, and PAMELA
JO BONDI, U.S. Attorney 17 General, 18 Respondents.

19 20 21 22 23 24 25 26 27 28 1 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition
of 2 Petitioner Marlon Castillo Espada,1 the objections of Respondents John Doe, 3 Warden; John
Doe, Field Office Director; Todd M. Lyons, Acting Director; 4 Kristi Noem, Secretary of
Homeland Security; and Pamela Jo Bondi, U.S. 5 Attorney General, to the initial Report and
Recommendation of the United 6 States Magistrate Judge,2 and the Final Report and
Recommendation of the 7 United States Magistrate Judge.3 The Court has engaged in a de novo
review of 8 the issues raised in the objections.

Based upon that review, the Court hereby 9 ORDERS as follows: 10 1. The final report, findings,
and recommendations of the Magistrate 11 Judge are ACCEPTED and ADOPTED.4 12 2. The
Petition is GRANTED. 13 3. Respondents are DIRECTED to RELEASE Petitioner Marlon 14
Castillo Espada from custody FORTHWITH, subject to the order of 15 supervision that governed
his release prior to his October 23, 2025, detention.

16 4. Respondents are ENJOINED AND RESTRAINED from 17 re-detaining Espada unless and
until they follow the procedures set forth in 8 18 C.F.R. §§ 241.4(l) and 241.13(i). 19 20 21 22 23
1 Petition [ECF No. 1]. 24 2 Response to Report and Recommendation [ECF No. 20]. 25 3 Final
Report and Recommendation [ECF No. 21]. 26 4 As a federal prisoner proceeding under 28
U.S.C. § 2241, Espada is not required to obtain a certificate of appealability in order to appeal to
the United 27 States Court of Appeals in this case.

See Harrison v. Ollison, 519 F.3d 952, 958 28 1 5. Respondents are DIRECTED to file no later
than January 30, 2026, a Status Report that advises the Court regarding Espada's custody status. 3
IT IS SO ORDERED. VM 5\| Dated: January 23, 2026 6 NITED STATES DISTRICT JUDGE &
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28