

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

OPINION

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

PER CURIAM.

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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 States Court of Appeals in this case. See Harrison v. Ollison, 519 F.3d 952, 958 (2d Cir. 2017). 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

UNITED STATES DISTRICT JUDGE

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