

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, FORT MYERS DIVISION

Marlon Jose Cruz Mendoza v. Miami Field Office Director,
Immigration and Customs Enforcement et al.

Cruz Mendoza · No. 2:26-cv-00198-SPC-NPM · Decided February 10, 2026

SUMMARY

The United States District Court for the Middle District of Florida granted Marlon Jose Cruz Mendoza’s habeas petition challenging his mandatory immigration detention. The court held that 8 U.S.C. § 1226(a), rather than § 1225(b)(2), governed his detention and that he was entitled to an individualized bond hearing. Respondents were ordered to provide a bond hearing before an immigration judge or release Cruz Mendoza within ten days, after which the case was closed.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 10, 2026
DOCKET	2:26-cv-00198-SPC-NPM
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking release or an individualized bond hearing.
STANDARD OF REVIEW	The court reviewed the habeas petition to determine whether the petitioner was unlawfully detained and whether the court had jurisdiction to grant relief.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Marlon Jose Cruz Mendoza v. Miami Field Office Director, Immigration and Customs Enforcement et al.

TOPICS

immigration detention

immigration

subject matter jurisdiction

exhaustion of remedies

statutory interpretation

PRACTICE AREAS

immigration law

habeas corpus

immigration detention

administrative law

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(g) or § 1252(b)(9) deprived the district court of jurisdiction over the habeas challenge to Cruz Mendoza's detention.
2. Whether exhaustion of administrative remedies should be excused as futile.
3. Whether Cruz Mendoza's detention was governed by 8 U.S.C. § 1225(b)(2) or § 1226(a).
4. Whether a noncitizen detained under § 1226(a) is entitled to an individualized bond hearing before an immigration judge.

HOLDINGS

1. The court had jurisdiction over Cruz Mendoza's habeas challenge because the action fell outside the jurisdiction-stripping provisions of § 1252(g) and § 1252(b)(9).
2. Exhaustion was excused because pursuing administrative remedies would have been futile.
3. Cruz Mendoza's detention was governed by 8 U.S.C. § 1226(a), not § 1225(b)(2).
4. A noncitizen detained under § 1226(a) has a right to an individualized bond hearing before an immigration judge.

KEY QUOTATIONS

“As a noncitizen detained under § 1226(a), Cruz Mendoza has a right to a bond hearing.”

“Regardless, subjecting Cruz Mendoza to mandatory detention under § 1225(b)(2) is unlawful.”

FACTUAL BACKGROUND

Cruz Mendoza, a Honduran citizen, entered the United States without inspection in 2016 and had a pending asylum application and employment authorization. He had no criminal record apart from a citation for driving without a license and was the sole provider for his two young children. ICE arrested him after a traffic stop on January 17, 2026, and detained him at the Glades County Detention Center without an opportunity to seek release on bond.

PROCEDURAL HISTORY

Cruz Mendoza filed a verified petition challenging his detention by Immigration and Customs Enforcement. The government opposed the petition, arguing that the court lacked jurisdiction, that administrative remedies had not been exhausted, and that detention was mandatory under 8 U.S.C. § 1225(b)(2). The court rejected those

arguments, granted habeas relief, and ordered the respondents either to provide an individualized bond hearing before an immigration judge or release Cruz Mendoza under reasonable conditions within ten days.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Within ten days, the respondents must either bring Cruz Mendoza before an immigration judge for an individualized bond hearing or release him under reasonable conditions of supervision. If released, the respondents must facilitate transportation from the detention facility by notifying counsel when and where Cruz Mendoza may be collected.

CASES CITED

- Hinojosa Garcia v. Noem, No. 2:25-cv-879-SPC-NPM, 2025 WL 3041895 (M.D. Fla. Oct. 31, 2025)
- Vasquez Carcamo v. Noem, 2:25-cv-922-SPC-NPM, 2025 WL 3119263 (M.D. Fla. Nov. 7, 2025)
- Jennings v. Rodriguez, 583 U.S. 281, 306 (2018)

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