

BOARD OF IMMIGRATION APPEALS

Matter of Manuel Dejesus Martinez-Rodriguez

29 I&N Dec. 656 (BIA 2026) · Decided April 29, 2026

SUMMARY

The Board of Immigration Appeals sustained the Department of Homeland Security’s appeal and vacated an Immigration Judge’s order releasing Manuel Dejesus Martinez-Rodriguez on a \$15,000 bond. The Board held that his false-imprisonment conviction and related arrest history established that he posed a danger to the community, making him ineligible for release on bond.

CASE DETAILS

COURT	Board of Immigration Appeals
WRITING FOR THE COURT	Gallow, Appellate Immigration Judge; Radics, Deputy Chief Appellate Immigration Judge; Owen, Appellate Immigration Judge
JURISDICTION	Board of Immigration Appeals
DECIDED	April 29, 2026
DISPOSITION	vacated
PROCEDURAL POSTURE	The Department of Homeland Security appealed an Immigration Judge's order releasing the respondent from detention upon payment of a \$15,000 bond.
STANDARD OF REVIEW	The Board reviews de novo the judgment whether an alien poses a danger to the community, while reviewing the factual findings underlying that judgment for clear error.
PRECEDENTIAL VALUE	precedential
PARTIES	Department of Homeland Security v. Manuel Dejesus Martinez-Rodriguez, Respondent

TOPICS

- immigration detention
- agency adjudication
- administrative law
- immigration

PRACTICE AREAS

- immigration detention
- immigration
- administrative law

QUESTIONS PRESENTED

1. Whether the respondent met his burden of demonstrating that he did not pose a danger to the community and therefore was eligible for release on bond.
2. Whether the Board needed to reach DHS's separate argument that the respondent posed a flight risk.

HOLDINGS

1. The respondent failed to establish by clear and convincing evidence that he was not a danger to the community and was therefore ineligible for bond.
2. The Board did not need to reach DHS's flight-risk argument because a finding of future dangerousness is legally dispositive of eligibility for release on bond.

KEY QUOTATIONS

“Whether an alien poses a danger to the community is a question of judgment that we review de novo, but the factual findings underlying such a judgment are reviewed for clear error.” (29 I&N Dec. at 656)

“The finding of future dangerousness in bond proceedings is legally dispositive of the respondent’s eligibility for release.” (29 I&N Dec. at 657)

“Thus, we conclude that the respondent has not met his burden to show that he would not pose a danger to the community and is therefore ineligible for bond.” (29 I&N Dec. at 657)

FACTUAL BACKGROUND

The respondent was arrested in Knox County, Tennessee, on April 25, 2019, on charges of vandalism, domestic violence, and aggravated burglary. He later pleaded guilty to false imprisonment and was sentenced to 348 days in state custody. The Board concluded that the nature and seriousness of this criminal history, including the arrest-related conduct, prevented the respondent from demonstrating by clear and convincing evidence that he was not a danger to the community.

PROCEDURAL HISTORY

The Immigration Judge ordered the respondent released on bond on February 17, 2026, and issued a memorandum explaining the decision on March 11, 2026. The Board sustained DHS's appeal, vacated the bond decision, and ordered the respondent detained without bond.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The Immigration Judge's bond decision was vacated, and the respondent was ordered detained without bond.

CASES CITED

- Matter of Choc-Tut, 29 I&N Dec. 48, 49 (BIA 2025)
- Matter of Siniauskas, 27 I&N Dec. 207, 207-09 (BIA 2018)
- Matter of Guerra, 24 I&N Dec. 37, 39-40 (BIA 2006)
- Matter of Beltrand-Rodriguez, 29 I&N Dec. 76, 77 (BIA 2025)
- Matter of Thomas, 21 I&N Dec. 23 (BIA 1995)
- Matter of V-A-K-, 28 I&N Dec. 630, 636 (BIA 2022)
- Matter of Urena, 25 I&N Dec. 140, 141 (BIA 2009)
- Matter of Drysdale, 20 I&N Dec. 815, 817 (BIA 1994)

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