

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Guadalupe Jara Dominguez v. Laura Hermosillo, et al.

Case No. 2:25-cv-02351-TMC · No. 2:25-cv-02351-TMC · Decided December 4, 2025

SUMMARY

The United States District Court for the Western District of Washington grants Guadalupe Jara Dominguez’s petition for a writ of habeas corpus. The court holds that his detention under 8 U.S.C. § 1225(b)(2) is unlawful, excuses exhaustion of administrative remedies, and orders Respondents to release him or provide a bond hearing under 8 U.S.C. § 1226(a) within fourteen days of his request.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	Tiffany M. Cartwright
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 4, 2025
DOCKET	2:25-cv-02351-TMC
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging mandatory immigration detention and seeking release or a bond hearing.
STANDARD OF REVIEW	A habeas petitioner must establish by a preponderance of the evidence that he is in custody in violation of the Constitution or laws or treaties of the United States. The court also applied Article III ripeness principles and considered whether administrative exhaustion should be excused.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is not specified in the opinion.
PARTIES	Guadalupe Jara Dominguez v. Laura Hermosillo, et al.

TOPICS

- immigration detention
- federal habeas corpus
- exhaustion of remedies
- statutory interpretation
- removal proceedings

PRACTICE AREAS

immigration detention

federal habeas corpus

administrative law

remedies

QUESTIONS PRESENTED

1. Whether the habeas petition was ripe even though petitioner had not yet received or requested a bond hearing.
2. Whether petitioner was required to exhaust administrative remedies before seeking habeas relief.
3. Whether a person who entered the United States without inspection, was not apprehended upon arrival, and later resided in the United States could be subjected to mandatory detention under 8 U.S.C. § 1225(b)(2), or instead was entitled to detention under 8 U.S.C. § 1226(a).
4. Whether the appropriate habeas remedy was immediate release or an opportunity for a bond hearing.

HOLDINGS

1. The petition was ripe for review because petitioner was suffering a concrete and actual injury from ongoing detention under a mandatory-detention policy that the court had already determined violated the INA; the absence of a prior bond hearing did not make the controversy abstract or hypothetical.
2. Petitioner was not required to exhaust administrative remedies before seeking habeas relief because exhaustion was excused as futile.
3. Because petitioner entered the United States without inspection but was not apprehended upon arrival and had resided in the United States, he was not seeking admission and could not be subjected to mandatory detention under 8 U.S.C. § 1225(b)(2). His detention was instead governed by 8 U.S.C. § 1226(a), which permits release on bond.
4. Immediate release was not required at that stage; a bond hearing under 8 U.S.C. § 1226(a) was sufficient relief to correct the unlawful detention.

KEY QUOTATIONS

“There is nothing abstract or hypothetical about this dispute. Jara Dominguez is suffering a concrete and actual injury—he is detained in federal immigration custody right now, based on a mandatory detention policy that this Court has already concluded violates the INA.” (Section III.A)

“Jara Dominguez need not go through a futile exercise of requesting a bond hearing while still subject to unlawful mandatory detention in order to seek habeas relief.” (Section III.A)

“Within fourteen days of receiving Petitioner Guadalupe Jara Dominguez’s request for a bond hearing, Respondents must either release him or provide him a bond hearing under 8 U.S.C. § 1226(a).” (Conclusion)

FACTUAL BACKGROUND

Guadalupe Jara Dominguez entered the United States in 1999 and resided in Washington before immigration officers apprehended him on November 6, 2025. He was detained at the Northwest Immigration and Customs Enforcement Processing Center on the charge that he was unlawfully present without admission or parole. He

had not received a custody redetermination or bond hearing, and respondents acknowledged that he was being detained under a policy treating persons who entered without inspection as subject to mandatory detention under 8 U.S.C. § 1225(b).

PROCEDURAL HISTORY

Jara Dominguez filed a § 2241 habeas petition after being detained by immigration authorities without receiving a custody redetermination hearing. The court ordered the respondents to show cause; federal respondents filed a return, and petitioner filed a traverse. The court granted the petition and ordered respondents, within fourteen days after a request, either to release petitioner or provide a bond hearing under 8 U.S.C. § 1226(a).

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must, within fourteen days after receiving petitioner's request for a bond hearing, either release petitioner or provide a bond hearing under 8 U.S.C. § 1226(a). If respondents fail to comply, petitioner may seek further relief from the court.

CASES CITED

- Davis v. Woodford, 384 F.3d 628, 638 (9th Cir. 2004)
- Rodriguez Vazquez v. Bostock, No. 3:25-CV-05240-TMC, 2025 WL 2782499 (W.D. Wash. Sept. 30, 2025)
- Flaxman v. Ferguson, 151 F.4th 1178, 1184–85 (9th Cir. 2025)
- Thomas v. Union Carbide Agricultural Products Co., 473 U.S. 568, 580 (1985)
- Twitter, Inc. v. Paxton, 56 F.4th 1170, 1173 (9th Cir. 2022)
- Leonardo v. Crawford, 646 F.3d 1157, 1160 (9th Cir. 2011)
- In re Yajure Hurtado, 29 I. & N. Dec. 216 (BIA 2025)
- Carafas v. LaVallee, 391 U.S. 234, 239 (1968)
- Cardozo v. Bostock, No. 2:25-CV-00871-TMC, 2025 WL 2592275, at *2 (W.D. Wash. Sept. 8, 2025)
- Harvest v. Castro, 531 F.3d 737, 741–42 (9th Cir. 2008)
- Doe v. Garland, 109 F.4th 1188, 1193 (9th Cir. 2024)
- Herrera v. Collins, 506 U.S. 390, 403 (1993)
- Rose v. Guyer, 961 F.3d 1238, 1246 (9th Cir. 2020)