

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

Jorge Pedroza Rodriguez v. Kristi Noem, et al.

No. CV-26-00481-PHX-KML (JFM), United States District Court for the District of Arizona (January 29, 2026)

SUMMARY

The United States District Court for the District of Arizona granted Jorge Pedroza Rodriguez’s habeas petition challenging his immigration detention. The court ordered respondents to provide a bond redetermination hearing within seven days or release him, relying on both a related class judgment in Bautista v. Santacruz and its independent conclusion that his detention was governed by 8 U.S.C. § 1226 rather than § 1225.

CASE DETAILS

COURT	United States District Court for the District of Arizona
WRITING FOR THE COURT	Krissa M. Lanham
JURISDICTION	United States District Court for the District of Arizona
DECIDED	January 29, 2026
DOCKET	CV-26-00481-PHX-KML (JFM)
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought federal habeas corpus relief under 28 U.S.C. § 2241, challenging his immigration detention. After an order to show cause and respondents' response, the court granted the petition.
PRECEDENTIAL VALUE	Nonprecedential district court order

TOPICS

- immigration detention
- federal habeas corpus
- immigration
- equitable relief

PRACTICE AREAS

- immigration detention
- federal habeas corpus
- immigration

QUESTIONS PRESENTED

- Whether petitioner was detained under 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A).
- Whether petitioner was entitled to release or a bond redetermination hearing.

HOLDINGS

1. Petitioner's detention is governed by 8 U.S.C. § 1226, not § 1225(b)(2)(A).
2. Petitioner was entitled to be released from custody or provided a bond redetermination hearing within seven days.

KEY QUOTATIONS

“Pursuant to that judgment, petitioner is entitled to be released from custody or provided a bond redetermination hearing within seven days.” (at 1)

“But in the alternative, the court’s review of the petition confirms he is entitled to relief regardless of Bautista and the court grants relief based on its independent view that his detention is governed by § 1226 and not § 1225.” (at 1)

FACTUAL BACKGROUND

Petitioner was detained by immigration authorities under 8 U.S.C. § 1225(b)(2)(A). A Central District of California class action, *Bautista v. Santacruz*, included petitioner in a class whose members were declared to be detained under 8 U.S.C. § 1226(a) and not subject to mandatory detention under § 1225(b)(2). Respondents acknowledged that petitioner appeared to be a member of the *Bautista* bond-eligible class.

PROCEDURAL HISTORY

Rodriguez filed a habeas petition challenging his immigration detention. The court considered respondents' response to an order to show cause, the certification and judgment in *Bautista v. Santacruz*, and the merits of Rodriguez's detention claim independently. The court granted the petition, ordered a bond redetermination hearing or release, required a notice of compliance, and directed entry of judgment and closure of the case.

DISPOSITION

writ_granted

CASES CITED

- *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025)

OPINION

1 WO 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 9 Jorge Pedroza Rodriguez, No. CV-26-00481-PHX-KML (JFM) 10 Petitioner, ORDER 11 v. 12 Kristi Noem, et al., 13 Respondents. 14 15 Petitioner filed this action challenging his immigration detention. A district court in 16 the Central District of California recently certified a class that includes petitioner.

Bautista 17 v. *Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403, at *1 (C.D. Cal. Nov. 18 25, 2025). On December 18, 2025, the *Bautista* court entered judgment under Rule 54(b) 19

declaring “the Bond Eligible Class members are detained under 8 U.S.C. § 1226(a) and are 20 not subject to mandatory detention under § 1225(b)(2)” and vacating “the Department of 21 Homeland Security policy described in the July 8, 2025, ‘Interim Guidance Regarding 22 Detention Authority for Applicants for Admission’ under the Administrative Procedure 23 Act as not in accordance with law.

5 U.S.C. § 706(2)(A).” *Bautista v. Santacruz*, No. 5:25- 24 CV-01873-SSS-BFM, Document 94 (C.D. Cal. Dec. 18, 2025). In their response to the 25 court’s order to show cause, respondents acknowledge “insofar as the Petition challenges 26 Respondents’ detention of Petitioner pursuant to 8 U.S.C. § 1225(b)(2)(A), Petitioner 27 appears to be a member of the Bond Eligible Class.” (Doc.

7 at 6.) Pursuant to that 28 judgment, petitioner is entitled to be released from custody or provided a bond 1 || redetermination hearing within seven days. But in the alternative, the court’s review of the petition confirms he is entitled to relief regardless of *Bautista* and the court grants relief 3 || based on its independent view that his detention is governed by § 1226 and not § 1225.

4 IT IS ORDERED: 5 1. Petitioner’s petition for writ of habeas corpus (Doc. 1) is granted. 6 2. Respondents must provide petitioner a bond redetermination hearing within || seven days or release him from custody under the same conditions that existed before his 8 || detention. 9 3. Respondents must provide a notice of compliance within three days of || releasing petitioner or providing him a bond hearing.

11 4. Any pending motions are denied as moot and the clerk of court shall enter || judgment in petitioner’s favor and close this case. 13 Dated this 29th day of January, 2026. 14 Honorable Krissa M. Lanham 17 United States District Judge 18 19 20 21 22 23 24 25 26 27 28 -2-