

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)

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-

