

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

GIANCARLO IOB CASTILLO

Petitioner

v.

KRISTI NOEM, in her official capacity as
U.S. Secretary of Homeland Security;
PAMELA JO BONDI, in her official capacity
as Attorney General of the United States;
RUSSEL HOTT, in his official capacity as
Field Office Director, Washington, D.C. Field
Office, Immigration and Customs
Enforcement; and PAUL PERRY, in his
official capacity as Warden of Caroline
Detention Facility.

Respondents.

Case No. 1:25-cv-1894-AJT-LRV

MOTION FOR ORDER TO SHOW CAUSE

On October 29, 2025, Petitioner Giancarlo Iob Castillo (“Mr. Castillo”) filed a petition for a writ of habeas corpus as his continued detention by Immigration and Customs Enforcement (“ICE”) violates the Immigration and Nationality Act (“INA”) and his substantive and procedural due process rights. *See* ECF No. 1. Petitioner now seeks the issuance of an Order to Show Cause directing Respondents to forthwith respond to the petition for a writ of habeas corpus within three days or another period deemed reasonable. *See* 28 U.S.C. § 2243.

Mr. Castillo is a native and citizen of Honduras, who entered the United States in March 2019 without inspection or admission. ECF No. 1, ¶¶ 1, 26. ICE took Mr. Castillo into custody on or about September 6, 2025. *Id.* ¶ 28. Mr. Castillo moved for a custody redetermination before an

immigration judge on September 8, 2025. *Id.* ¶ 29. On September 16, 2025, an immigration judge denied the motion without a hearing, holding that under *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025), Mr. Castillo was subject to mandatory detention under 8 U.S.C. § 1225(b)(2) and ineligible for release on bond. *See* ECF No. 1, ¶ 29. He has been detained at the Caroline Detention Center for the past two months with no opportunity to demonstrate to a neutral immigration judge that his continued detention is necessary to protect the community or ensure his appearance at any future removal proceedings. *See id.* ¶ 28; ECF No. 1-2.

A district court with jurisdiction over a petition for a writ of habeas corpus “shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted.” *D.B. v. Cardall*, 826 F.3d 721, 728 n.4 (4th Cir. 2016) (quoting 8 U.S.C. § 2243). The statute directs that an order to show cause “shall be returned within three days unless for good cause additional time, not exceeding twenty days, is allowed.” 28 U.S.C. § 2243. In addition, 28 U.S.C. § 2243 requires the Court to “summarily hear and determine the facts and dispose of the matter as law and justice require.”

Mr. Castillo respectfully requests that this Court issue an order pursuant to 28 U.S.C. § 2243, directing Respondents to show cause within three days why the petition for a writ of habeas corpus should not be granted. If the Court sets a period longer than three days, Mr. Castillo requests that it be no longer than fourteen days, as his continued detention without a bond hearing violates the INA and the Due Process Clause of the Fifth Amendment and is premised on legal arguments that have been roundly rejected by this Court. *See, e.g., Ramirez Perez v. Noem*, No. 1:25-cv-01750-MSN-IDD (E.D. Va. Oct. 29, 2025); *Hernandez Gutierrez v. Noem*, No. 1:25-cv-01744-MSN-IDD (E.D. Va. Oct. 29, 2025); *Maldonado Merlos v. Noem*, No. 1:25-cv-01645-LMB-WEF (E.D. Va. Oct. 9, 2025); *Singh v. Bondi*, No. 1:25-cv-01525-MSN-WBP (E.D. Va. Oct. 7, 2025);

Ortiz Ventura v. Noem, No. 1:25-cv-01429-MSN-WBP (E.D. Va. Oct. 2, 2025); *Quispe-Ardiles v. Noem*, No. 1:25-cv-01382-MSN-WEF (E.D. Va. Sept. 30, 2025); *Hasan v. Crawford*, No. 1:25-cv-01408 (LMB/IDD), 2025 WL 2682255 (E.D. Va. Sept. 19, 2025).

Dated: October 30, 2025

Respectfully submitted,

/s/ Eileen Blessinger
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2025, I filed the foregoing motion with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to all parties.

/s/Kevin Hirst (pro hac vice pending)

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