

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

JOSE FRANCISCO MEDINA-MUNOZ,

Petitioner,

v.

Civ. Action No. 1:26-cv-00195-RP

**PAMELA JO BONDI,
United States Attorney General;**

**KRISTI LYNN NOEM,
Secretary of Homeland Security;**

**SYLVESTER M. ORTEGA,
San Antonio Acting Field Office Director
For Detention and Removal, U.S.
Immigration and Customs Enforcement;
and,**

**CHARLOTTE COLLINS,
Warden, T. Don Hutto Detention Center;**

in their official capacities;

Respondents.

**PETITIONER'S REPLY IN SUPPORT OF
PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner Jose Francisco Medina-Munoz, through undersigned counsel, files this his reply in support of his petition for a writ of habeas corpus. Petitioner states as follows:

1. The primary issue in this petition is whether Petitioner is subject to detention under 8 U.S.C. § 1226(a) or § 1225(b)(2), as Respondents argue. If § 1226(a) applies, then Petitioner is entitled to be released immediately, or be given a bond hearing that is consistent with the Due Process Clause. If § 1225(b)(2) applies, the statute requires mandatory detention.

2. Respondents raise no new arguments or identify material differences between Petitioner's case and the numerous decisions from the district court judges in the Western District of Texas and other judicial districts. *See, e.g., Mendoza-Menjivar v. Bondi, et al.*, Case No. 1:25-CV-2060-DAE at *12 (W.D. Tex. Jan. 12, 2026) (granting writ and collecting cases rejecting Respondents' novel interpretation of § 1225(b)(2)); *Mendoza Euceda v. Noem et al.*, SA-25-CV-01234-OLG at *6 n. 2 (W.D. Tex. Nov. 17, 2025) (same).

3. Further, Respondents do not deny that even when a case is on appeal to the Board of Immigration Appeals, Petitioner remains eligible to be released or for bond if § 1226(a) applies. Thus, the fact that an immigration judge ruled against Petitioner on his applications for relief from removal is of no legal consequence.

4. Respondents' arguments concerning the stay of removal and the cancellation of Petitioner's April 5, 2024 bond are red herrings. Neither issue impacts the interpretation of § 1226(a) and § 1225(b)(2). If anything, Respondents reliance on § 1226(b) to argue that the Court lacks jurisdiction to review the termination of Petitioner's bond is an implicit acknowledgement that § 1226(a) applies.

5. Petitioner urges the Court to reject Respondents' argument, grant Mr. Medina-Muñoz's petition for a writ, and order his release.

Dated: February 3, 2026

Respectfully submitted,

/s/ Javier N. Maldonado
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ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

I hereby certify that the foregoing reply was personally served on all counsel of record via CM/ECF on this February 3, 2026, by

s/ Javier N. Maldonado
Javier N. Maldonado