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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Juan GARCIA DEHUMA,

Petitioner,

v.

Jason KNIGHT, Field Office Director, Salt Lake City Field Office, U.S. Immigration and Custom Enforcement, Enforcement and Removal Operations Division; John MATTOS, Warden, Nevada Southern Detention Center; Kristi NOEM, Secretary, United States Department of Homeland Security; Pamela BONDI, Attorney General of the United States,

Respondents.

Case No. 2:26-cv-00455-RFB-EJY

Federal Respondents' Response to Petition for Writ of Habeas Corpus, ECF No. 1

The Federal Respondents hereby submit this Response to Petitioner Garcia Dehuma ("Petitioner" or "Garcia Dehuma") Petition for Writ of Habeas Corpus, ECF No. 1.

I. Introduction

Petitioner ("Petitioner") seeks a writ of habeas corpus under 28 U.S.C. § 2241 challenging the legality of his immigration detention. ECF No. 1.

Federal Respondents have carefully reviewed the Petition and submit this response to address the issues identified by the Court. While Respondents do not consent to issuance of the writ and expressly reserve all rights, including the right to appeal, Federal

Respondents respectfully submit that further briefing is unnecessary because the legal issues presented are controlled by this Court's recent decisions in *Baca Beltrand v. Mattos*, Case No. 2:25-cv-01430-CDS-EJY, and *Jacobo Ramirez v. Noem,* Case No. 2:25-cv-02136-RFB-MDC, and the material facts are not meaningfully distinguishable.

II. Background and Issues Presented

Petitioner challenges ICE's statutory authority to detain him, asserting that detention is governed by 8 U.S.C. § 1226(a) rather than 8 U.S.C. § 1225(b)(2)(A). Among other things, Petitioner requests as relief that the Court issue an order requiring that Respondents immediately release Petitioner under the bond order for which he was previously released. ECF No. 1, at 24.

Respondents' position is that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b) because Petitioner was present in the United States without being admitted or paroled. *See Buenrostro-Mendez v. Bondi,* No. 25-20496, 2026 WL 323330, at *1 (5th Cir. Feb. 6, 2026) (holding that because petitioners were "inadmissible as alien[s] present in the United States without having been admitted or paroled," they were subject to detention under 8 U.S.C. § 1225(b)(2)(A)); *see also Yinxiao Chen v. Almodovar*, 25-CV-09670, 2026 WL 100761, at *6–13 (S.D.N.Y. Jan. 14, 2026); *Xiaoquan Chen v. Almodovar*, 2025 WL 3484855, at *3–8 (S.D.N.Y. Dec. 4, 2025).

III. This Court's Prior Decisions Control the Statute of Detention

Respondents acknowledge that this Court recently reached a different conclusion in, for example, *Baca Beltrand v. Mattos*, Case No. 2:25-cv-01430-CDS-EJY, ECF No. 54, and *Jacobo Ramirez v. Noem,* Case No. 2:25-cv-02136-RFB-MDC.

For example, in a decision issued on November 14, 2025, the Court concluded that the petitioner's detention was not governed by § 1225, but instead fell under § 1226. *See Baca Beltrand v. Mattos*, Case No. 2:25-cv-01430-CDS-EJY, ECF No. 54, at 6. The Court explained that it could not accept Respondents' arguments regarding the revised policy of applying 8 U.S.C. § 1225 to aliens who were apprehended inside the United States despite

having entered without inspection. *Id.* The Court explained that applying 8 U.S.C. § 1225 to aliens in the circumstances of Baca Beltran would render § 1226 meaningless and superfluous, and the Court thus ordered that Baca Beltrand be treated as a detained alien pursuant to 8 U.S.C. § 1226(a). *Id.*

Here, the material facts relevant to the statutory-authority question are not meaningfully distinguishable from those presented in *Baca Beltrand*. Accordingly, if the Court adheres to its prior ruling, that decision would control the outcome of the statutory-authority issue in this case.

IV. Respondents' Position and Preservation of Issues

While Respondents respectfully maintain their position that detention is authorized under § 1225(b), they acknowledge that the Court's prior ruling would govern if applied here. Respondents therefore rely upon, and incorporate by reference, the legal arguments previously presented in *Baca Beltrand v. Mattos*, and *Jacobo Ramirez v. Noem*, without re-briefing those issues, to conserve judicial and party resources and to facilitate prompt resolution of this matter. Respondents have enclosed with this Response the responses filed in those cases as Exhibits A and B.

Federal Respondents do not consent to issuance of the writ or to the imposition of attorney's fees, and they expressly reserve all rights, including the right to appeal.

VIII. Hearing

Respondents submit that the Court may resolve this matter on the existing record and without a hearing. If, however, the Court determines that a hearing would be helpful, Federal Respondents will appear and present their position.

IX. Conclusion

For the foregoing reasons, Federal Respondents respectfully submit this Response to the Petition and request that the Court resolve the Petition consistent with its prior rulings.

Respectfully submitted this 23rd day of February 2026.

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