THE BRONX DEFENDERS

March 16, 2026

VIA ECF

Honorable LaShann DeArcy Hall
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: *Sandoval Martinez v. Noem et al.*
Civil Action No. 26-cv-1359 (DeArcy Hall, J.)

Dear Judge DeArcy Hall:

We write on behalf of petitioner Melsar Sandoval Martinez ("Mr. Sandoval Martinez" or "Petitioner") in the above-referenced habeas corpus action, which challenges his detention by U.S. Immigration and Customs Enforcement ("ICE"). On March 14, 2026, the Respondents filed a letter in response to Mr. Sandoval Martinez's Petition "in lieu of a formal brief to conserve judicial and party resources, and to expediate the Court's consideration of this case." *See* Resp. Ltr., ECF No. 7, at 1. Respondents cite two cases in which this Court addressed the central issue in Mr. Sandoval Martinez's Petition and granted relief. *Id.* (citing *Estrada Alfaro v. Genalo*, No. 26-cv-761, Order (E.D.N.Y. Mar. 13, 2026), *Singh v. Genalo*, No. 26-cv-937, Order (E.D.N.Y. Mar. 13, 2026)). Mr. Sandoval Martinez submits this letter in reply to Respondents' March 14, 2026, letter. Because Mr. Sandoval Martinez's Petition rests largely on the same set of facts and law as *Estrada Alfaro* and *Singh*, the Court should grant this Petition and order his release.

Although Respondents contend that Mr. Sandoval Martinez is subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A), they acknowledge that this Court granted a petition for habeas corpus "when presented with somewhat analogous facts," and further "acknowledge decisions in other cases within this district granting habeas relief based on determinations that the petitioners were not subject to mandatory detention pursuant to § 1225(b)(2)(A)." Resp. Ltr. at 2; *see also Estrada Alfaro*, No. 26-cv-761, *Singh*, No. 26-cv-937. Respondents cite to a limited body of contrary decisions, *id.* at 2 n.1, but those decisions pre-date *Estrada Alfaro* and *Singh*, and are not binding on this Court.

Notably, Respondents' own exhibits support the proposition that Mr. Sandoval Martinez is detained pursuant to 8 U.S.C. § 1226(a), rather than § 1225(b)(2). Section 1226(a) authorizes detention "[o]n a warrant issued by the Attorney General," 8 U.S.C. § 1226(a), while § 1225(b)(2) permits warrantless arrests, *see Jennings v. Rodriguez*, 583 U.S. 281, 302 (2018). Following Mr. Sandoval Martinez's arrest, ICE produced—albeit seemingly post-hoc—Form I-200, an administrative warrant, pursuant to § 1226(a). *See* ECF No. 7-1, Declaration of Katherine Rey ("Rey Decl."), at ¶ 5. Respondents do not explain the divergence between the apparent statutory

basis for Mr. Sandoval Martinez's detention at the time of his arrest and the statutory argument that they now advance. Consequently, "[t]he record before the Court . . . establishes that Petitioner was detained pursuant to the government's discretionary authority under § 1226(a)." *J.U. v. Maldonado*, No. 25-CV-04836 (OEM), 2025 WL 2772765, at *5 (E.D.N.Y. Sept. 29, 2025).

Moreover, Respondents do not meaningfully address Mr. Sandoval Martinez's claim that his detention violated his procedural due process rights under the Fifth Amendment. *See* ECF No. 7, at 2 ("The Respondents contend that the Petitioner . . . has received all the process he is due . . . ."). Yet again, the agency's own documents tell a different story. ICE's narrative of Mr. Sandoval Martinez's arrest indicates that he was not the intended subject of their operation, that he was not previously known to the officers who arrested him, and that he was apprehended and detained only after being questioned about his alienage. *See* ECF No. 7, at 1; *see also* ECF No. 7-1, at ¶ 4. On this record, it is clear that ICE did not provide Mr. Sandoval Martinez with any individualized assessment as to danger or flight risk before choosing to detain him. *See Arango v. Genalo*, No. 25-CV-6720 (RER), 2025 WL 3637500, at *2 (E.D.N.Y. Dec. 16, 2025) ("[T]here is no indication in the record that a custody determination was made before or contemporaneous with [Petitioner's] arrest.").

Consequently, "ICE's detention of Mr. [Sandoval Martinez] was unlawful from its inception, notwithstanding Respondents' efforts at post-hoc rationalization based on its expansive interpretation of Section 1225(b)(2)." *Aguinaga Castellon v. Doe*, No. 2:26-CV-647 (NJC), 2026 WL 326947, at *5 (E.D.N.Y. Feb. 7, 2026) (ordering immediate release of petitioner with no criminal history detained following warrantless arrest); *see also J.G.I. v. Genalo*, No. 26-CV-581 (AMD), 2026 WL 323036, at *2 (E.D.N.Y. Feb. 6, 2026) (while agreeing with the petitioner's statutory misclassification argument, observing that, "[e]ven if Section 1225 applied to the petitioner's detention, the petitioner was still entitled to due process before the government arrested him and detained him"). As such, Mr. Sandoval Martinez should be ordered immediately released.

In closing, the Court should grant the habeas petition because, as Respondents acknowledge, Mr. Sandoval Martinez's case is analogous to that of *Estrada Alfaro* and *Singh*. Mr. Sandoval Martinez therefore respectfully requests his immediate release.

Respectfully submitted,

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CC: Counsel of record (via ECF)