

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Juan CENTENO-MARTINEZ,

Petitioner,

v.

J.L. JAMISON, et al.

Respondents.

Case No. 2:25-cv-03593

**VERIFIED PETITION
FOR WRIT OF
HABEAS CORPUS**

REPLY BRIEF IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

Petitioner Juan Centeno-Martinez (“Mr. Centeno”) respectfully submits this reply in response to Respondents’ (“the Government’s”) memorandum of law in opposition to his petition for writ of habeas corpus. Contrary to the Government’s position, Mr. Centeno is entitled to a bond hearing, as his detention meets all the factors the Third Circuit set out in *German Santos v. Warden Pike Cnty. Corr. Facility*, 965 F.3d 203, 211 (3d Cir. 2020).

ARGUMENT

I. Mr. Centeno’s detention has been unreasonably prolonged.

In his petition, Mr. Centeno argued that his detention had become unreasonably prolonged because it had exceeded the six months to a year range at which the Third Circuit held that detention became unconstitutional in *Chavez-Alvarez v. Warden, York County Prison*. 783 F.3d 469, 478 (3d Cir. 2015) Doc 1 at ¶36.

Mr. Centeno also noted that other district courts have found detentions the length of Mr. Centeno's to be unconstitutionally prolonged. *See, e.g., Nunez v. Oddo*, No. 25-CV-143J, 2025 WL 2443437, at *4 (W.D. Pa. Aug. 25, 2025)(finding that a detention "just over of 14 months" "weighs strongly in favor of granting habeas relief."); *Diahn v. Lowe*, 2025 WL 2115442 (M.D. Pa. July 11, 2025) (granting petition when detention exceeded nineteen months); *Grigoryan v. Jamison*, 2025 WL 1257693 (E.D. Pa. Apr. 30, 2025)(granting habeas petition after seventeen months' confinement in Moshannon and Philadelphia FDC) *Bah v. Doll*, No. CV 3:18-1409, 2018 WL 5829668, at *1 (M.D. Pa. Nov. 7, 2018) (granting petition when detention exceeded fourteen months). Now, the length of Mr. Centeno's detention without a bond hearing has stretched beyond sixteen months and weighs even more clearly in favor of relief.

Contrary to the Government's argument, Mr. Centeno has articulated specific reasons why the length of his detention has become unreasonable. *Contra* Doc 3 at 7. ("Petitioner has not articulated any specific reason why the length of his detention has become unreasonable."). Both the caselaw cited above and the other factors considered below articulate the reason why Mr. Centeno's lengthy detention in Moshannon and Philadelphia FDC has become unreasonable Mr. Centeno's length of detention weighs in his favor.

II. Mr. Centeno's detention is unlikely to end soon.

The Government argues without evidence that Mr. Centeno's detention "may end soon," if the Third Circuit denies his petition for review. Doc. 3 at 8-9. To the contrary, the pending petition will take months to review, and this "likelihood that

his detention will continue strongly supports a finding of unreasonableness.” *German Santos*, 965 F.3d at 212.

The Government does not address the actual time it takes for a petition for review to be adjudicated, instead saying that “Petitioner’s removal order may soon become final.” Doc 3 at 8. However, the opening brief in Mr. Centeno’s Third Circuit case is not due until October 3, 2025, given Mr. Centeno’s extension of time. *Exhs R, S*. The Government then has thirty days to respond, and will likely seek an extension. Mr. Centeno then has a further twenty-one days to reply. The briefing alone will likely be concluded at the end of December, 2025, unless the Government gets an extension, at which point it will be January of 2026. Argument is often scheduled for five to six months after that, and a decision can easily be another six months. Mr. Centeno is likely looking at another year of detention before the Third Circuit even adjudicates his petition. Thus, even if The Government is correct that he may lose his petition for review, he still has a significant amount of time before it is adjudicated.

III. The Government does not point to delay caused by Mr. Centeno.

The Government argues that “Any delay since the BIA’s denial of Petitioner’s appeal cannot be fairly attributed to the government.” Doc 3 at 11. That may be true. However, the Government does not address Mr. Centeno’s argument that the Government failed to resolve his case for years before he was detained, or that the Government took no action between the denial of Mr. Centeno’s motion to terminate in 2020 and his detention in 2024. *See* Doc 1 at ¶40. Because these lengthy delays

before his re-detention left more to be done after he was re-detained, this factor weighs in favor of a bond hearing.

IV. The conditions of confinement at both FDC and Moshannon are not materially different from criminal punishment.

The Government is incorrect when it argues that Mr. Centeno's conditions of confinement are materially different from criminal punishment. The Government puts much weight on the transfer from Philadelphia Federal Detention Center ("FDC") back to the Moshannon Valley Processing Center ("Moshannon"). Doc 3 at 10. This reliance is misplaced.

First, the Government argues that any complaints about confinement are moot now that Mr. Centeno has been transferred. In reliance on this petition, the Government relies on *Ibarra-Villalva v. USP-Allenwood*, 213 F. App'x 132, 134 (3d Cir. 2007). However, *Ibarra-Villalva* specifically concerns a habeas petition brought by a federal prisoner seeking transfer to another facility. He was granted that transfer before the resolution of his petition, and the Third Circuit held that, because the relief he sought had been granted, his claims were moot. *Ibarra-Villalva* does not speak to the current case.

Moreover, Mr. Centeno's petition also discussed his confinement in Moshannon, where he had been detained prior to his time in FDC. Mr. Centeno is not the first person to have been transferred between FDC and Moshannon. In his petition he cited to *Grigoryan v. Jamison*, which also addressed the conditions in both facilities. No. CV 25-1389, 2025 WL 1257693, at *5 (E.D. Pa. Apr. 30, 2025). The Court in *Grigoryan* noted that "because the *German Santos* factors are both backward and

forward-looking, Grigoryan's conditions of confinement while at the FDC are also relevant.”*Id.* Thus, the Government is incorrect where it argues that the conditions in FDC are not relevant and are now moot.

Grigoryan also made factual findings concerning both FDC and Moshannon, and noted that other courts have also found that “The conditions at Moshannon are ‘penal in character.’” *Id.*

Moshannon contains four housing units, each containing six “pods” that each hold between 72–78 detainees. Each unit contains common bathrooms and living areas containing tables, televisions, telephones and tablets. Detainees are afforded four hours of outdoor recreation a day, and are otherwise confined to their pods.

Id. at *5 (internal citations omitted). This is similar to the conditions Mr. Centeno described in FDC. Courts this year have found the conditions in Moshannon to be penal in character. *Akhmadjanov v. Oddo*, No. CV 3:25-35, 2025 WL 660663, at *5 (W.D. Pa. Feb. 28, 2025) (“it cannot be said that Petitioner's conditions of confinement are *meaningfully* different from the confinement of criminal punishment.”); *Morgan v. Oddo*, No. 3:24-221, 2025 WL 1134979, at *4–5 (W.D. Pa. Apr. 17, 2025); *Deonarine v. Oddo*, No. 3:25-CV-00081, 2025 WL 1919726, at *3 (W.D. Pa. July 11, 2025).

Notably, the Government does not argue that the conditions in Moshannon are materially different from those Mr. Centeno described in FDC, nor does the government provide any support for its position that the conditions Mr. Centeno complained of in either Moshannon **or** FDC are materially different from from criminal punishment.

Additionally, Mr. Centeno has described the conditions he faces in Moshannon as similar to criminal punishment:

Moshannon is basically run like a prison. The only big difference is that it's open, with dorms instead of cells. To me it's more dangerous, because everyone is stuck together . . .

We can go to the yard two hours in the morning and two hours at night. We can play soccer or run. Otherwise we are in our dorms.

They tell us we have no rights and talk down to us like we're stupid. There are a couple of decent guards who treat us like we're human. I would never treat anyone like that.

The phones are usually available, but you have to have money in your account. It costs 11 cents per minute to call out.

The food is terrible. Last week we had beans with worms in it. No one wanted to eat. People were getting sick, throwing up. I can't eat the food here. I eat the salad here and otherwise throw it away. The food in the Philadelphia Federal Detention Center was better than here.

Exh T.

Accordingly the conditions of confinement are not materially different from that of criminal punishment, and this factor, like the others, favors Mr. Centeno.

CONCLUSION

WHEREFORE, Petitioner respectfully requests that this Court:

- 1) Assume jurisdiction over this matter;
- 2) Declare Petitioner's ongoing prolonged detention without a bond hearing by Respondents to be unconstitutional;
- 3) Issue a Writ of Habeas Corpus and order Petitioner's release within 10 days unless Defendants schedule a hearing before an immigration judge where: (1) in compliance with *German Santos v. Warden Pike C'ty Corr. Facility*, 965 F.3d 203 (3d Cir. 2020), to continue detention, the Government must establish by clear and convincing evidence that Petitioner presents a risk of flight or danger, even after consideration of alternatives to detention that could mitigate any risk that Petitioner's release would present; and (2) if the Government cannot meet its burden, the immigration judge order Petitioner's release on appropriate conditions of supervision, taking into account Petitioner's ability to pay a bond.
- 4) Grant such further relief as the Court deems just and proper.

DATED: September 9, 2025
Edison, New Jersey

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By: /s/

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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Juan CENTENO-MARTINEZ,

Petitioner,

v.

J.L. JAMISON, in his official capacity as Acting Assistant Field Office Director and Administrator of the Philadelphia Federal Detention Facility; BRIAN MCSHANE, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement; KRISTI NOEM, in her official capacity as Secretary of the U.S. Department of Homeland Security; PAMELA BONDI, in her official capacity as Attorney General of the United States

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Exhibits

- R Third Circuit Scheduling Order
- S Third Circuit Order granting Extension of Time
- T Declaration of Petitioner Juan Centeno-Martinez concerning conditions at Moshannon