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**DETAINED AT
DELANEY HALL**

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MIGUEL ANGEL COREA SANCHEZ,)	HON. ESTHER SALAS, U.S.D.J.
A )	
Petitioner,)	Civil Action No. 25-16113-ES
)	
v.)	
)	
PAMELA BONDI, et al.,)	
)	
Respondents.)	

**PETITIONER’S REPLY
TO RESPONDENTS’ ANSWER TO
PETITION FOR WRIT OF HABEAS CORPUS**

INTRODUCTION

Petitioner hereby submits his Reply brief to the Respondents' Answer in this matter. Respondents raise no new issues not addressed in Petitioner's brief, incorrectly arguing he is detained as an applicant for admission, misreading relevant Supreme Court rulings, and failing to understand the relevant statutory authorities.

Petitioner asks this Court to issue a Writ of Habeas Corpus and order his immediate release or alternatively order the immigration court to conduct a bond hearing as soon as possible. Federal Judges across the nation have found Respondents' new interpretation of established law to be deficient; this Court should do the same and grant the instant Petition.

LEGAL ARGUMENT

I. PETITIONER'S DETENTION IS CLEARLY UNLAWFUL.

Respondents incorrectly argue Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b)(2), claiming he is an applicant for admission. Res. Answer at 7. Petitioner's detention is unlawful because he could only properly be detained under 8 U.S.C. § 1226(a).

Should the Court find Petitioner's detention unlawful, the Court should order Petitioner's release because he is not lawfully detained under any statutory

authority according to Respondents. Alternatively, the Court should order Respondents to conduct a bond hearing 8 U.S.C. § 1226(a) as expeditiously as possible.

Petitioner was detained by ICE here in New Jersey and placed in removal proceedings approximately three years after entry. ECF No. 1-2 at 3; ECF No. 2-1 Ex. O; Res. Answer at 4-5.

Section § 1226(a) “sets out the default rule: The Attorney General may issue a warrant for the arrest and detention of a[] [noncitizen] ‘pending a decision on whether the [noncitizen] is to be removed from the United States.’” *Jennings v. Rodriguez*, 583 U.S. 281, 288 (2018) (*quoting* INA § 236(a)). Individuals detained under 8 U.S.C. § 1226(a) have the right to seek release pursuant to bond.

Meanwhile, 8 U.S.C. § 1225(b) “applies primarily to [noncitizens] seeking entry into the United States (‘applicants for admission’ in the language of the statute).” *Jennings* at 297; *see* 8 U.S.C. § 1225(b) (*entitled* “Inspection of applicants for admission”). Again, Petitioner was detained in New Jersey three years after entry.

Federal District Courts are routinely finding the Executive’s new arguments regarding expanded detention rather lacking. “Indeed, for nearly 30 years, § 1225 has applied to noncitizens who are either seeking entry to the United States or have a close nexus to the border, and § 1226 has applied to those aliens arrested within

the interior of the United States.” *Rivera Zumba v. Bondi*, 2025 D. NJ 2:25-cv-14626. Courts all across the country have rejected this “novel interpretation of the immigration detention statutes.” *Martinez v. Hyde*, F. Supp. 3d --, 2025 WL 2084238 at 4-5; *see also Maldonado Vazquez v. Feeley*, 2025 D. Nev. WL 2676082; *Lopez-Campos v. Raycraft*, 2025 WL 2496379, at *8 (E.D. Mich. Aug. 29, 2025) (“There can be no genuine dispute that Section 1226(a), and not Section 1225(b)(2)(A), applies to a noncitizen who has resided in this country for over twenty-six years and was already within the United States when apprehended and arrested during a traffic stop, and not upon arrival at the border.”); *Rodriguez v. Bostock*, 779 F. Supp. 3d 1239, 1261 (W.D. Wash. 2025) (holding that § 1226(a), not § 1225(b)(2), governs detention of a noncitizen who had resided in the United States for many years). At least another dozen other Federal District Courts have reached the same conclusion. *See, e.g., Ayala v. Bondi*, No. 1:25-cv-16428 (D.N.J. Oct. 30, 2025); *Soto v. Soto, et al.*, No. 25-cv-16200, 2025 WL 2976572, at *5 (D.N.J. Oct. 22, 2025); *Belsai D.S. v. Bondi*, No. 25-cv-03682, 2025 WL 2802947 (D. Minn. Oct. 1, 2025); *Quispe v. Crawford*, No. 25-cv-01471, 2025 WL 2783799 (E.D. Va. Sept. 29, 2025); *Savane v. Francis*, No. 25-cv-06666, 2025 WL 2774452 (S.D.N.Y. Sept. 28, 2025); *Zumba v. Bondi*, No. 25-cv-14626, 2025 WL 2753496 (D.N.J. Sept. 26, 2025); *Salazar v. Dedos*, No. 25-cv-00835, 2025 WL 2676729 (D.N.M. Sept. 17, 2025); *Lepe v.*

Andrews, No. 25–cv–01163, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025); *Roman v. Noem*, No. 25–cv–01684, 2025 WL 2710211 (D. Nev. Sept. 23, 2025); *Giron Reyes v. Lyons*, No. 25–cv–04048, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025); *Singh v. Lewis*, No. 25–cv–00096, 2025 WL 2699219 (W.D. Ky. Sept. 22, 2025); *Barrera v. Tindall*, No. 25–cv–00541, 2025 WL 2690565 (W.D. Ky. Sept. 19, 2025); *Hasan v. Crawford*, No. 25–cv–01408, 2025 WL 2682255 (E.D. Va. Sept. 19, 2025); *Vazquez v. Feeley*, No. 2:25–cv–01542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025); *Garcia Cortes v. Noem*, No. 25–cv–02677, 2025 WL 2652880 (D. Colo. Sept. 16, 2025); *Lopez Santos v. Noem*, No. 25–cv–01193, 2025 WL 2642278 (W.D. La. Sept. 11, 2025); *Perez v. Kramer*, No. 25–cv–03179, 2025 WL 2624387 (D. Neb. Sept. 11, 2025); *Pizarro Reyes v. Raycraft*, No. 25–cv–12546, 2025 WL 2609425 (E.D. Mich. Sept. 9, 2025); *Hinestroza v. Kaiser*, No. 25–cv–07559, 2025 WL 2606983 (N.D. Cal. Sept. 9, 2025); *Jimenez v. FCI Berlin, Warden*, No. 25–cv–00326, 2025 WL 2639390 (D.N.H. Sept. 8, 2025); *J.O.E. v. Bondi*, No. 25–cv–03051, 2025 WL 2466670 (D. Minn. Aug. 27, 2025); *Leal-Hernandez v. Noem*, No. 25–cv–02428, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Lopez-Campos v. Raycraft*, No. 25–cv–12486, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Lopez Benitez*, 2025 WL 2371588. This Court should follow suit and reach the same conclusion, that Petitioner could only be detained pursuant to 8 U.S.C. § 1226(a), not 8 U.S.C. § 1225(b).

II. PETITIONER MERITS HABEAS RELIEF.

It is clear from the above that Respondents have unlawfully detained Petitioner contrary to the laws and regulations of the United States. Respondents wrongfully claim he is detained without the possibility of bond pursuant to 8 U.S.C. § 1225(b). His detention violates his substantive and procedural due process rights under the Fifth Amendment of the United States Constitution, and also under the Administrative Procedures Act.

This Court should grant Petitioner habeas relief because he “is in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241(c)(3). Because Respondents wrongly claim Petitioner is subject to mandatory detention, habeas relief should entail ordering his immediate release. Alternatively, the Court should find Respondents have unlawfully detained him for the past several months pursuant to 8 U.S.C. § 1226(a), and order Respondents to conduct an individualized bond hearing as soon as possible.

CONCLUSION

For the foregoing reasons, this Court should grant the instant writ and immediately order Petitioner released or order Respondents grant him an individualized bond hearing as soon as possible.

Respectfully Submitted,

/s/ Jason Scott Camilo, Esq.

Dated: 11/06/2025

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CERTIFICATE OF SERVICE

I, Jason Scott Camilo, Esq., hereby certify I electronically served this document to all parties via the Court's CM/ECF system. I electronically served a copy of the following documents on or about 11/06/2025:

/s/ Jason Scott Camilo, Esq.

Dated: 11/06/2025

Jason Scott Camilo, Esq.

Attorney for Petitioner