



U.S. Department of Justice

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Via Electronic Filing

Honorable Karen Williams, U.S.D.J
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets
Camden, N.J. 08101

**Re: *Quintanilla v. Lyons, et al.*, No. 25-cv-17660 (KMW)
Answer to § 2241 Petition**

Dear Judge Williams:

This Office represents Respondents in this habeas matter filed by a noncitizen challenging the legality of her detention by U.S. Immigration and Customs Enforcement ("ICE") under 8 U.S.C. § 1225(b)(2). We respectfully submit this letter response in light of *Rivera Zumba v. Bondi*, No. 25-14626 (KSH), 2025 WL 2753496 (D.N.J. Sept. 26, 2025) and similar decisions in the District that have found detention under § 1225(b)(2) unlawful as applied to specific noncitizens.¹

ICE records indicate that Petitioner is a native and citizen of El Salvador who is present in the United States without admission or parole. Ex. A (Notice to Appear) at 2. On October 29, 2025, ICE officers arrested Petitioner in Avenel, New Jersey pursuant to an arrest warrant. Pet. ¶ 58; Ex. B (Form I-213). Petitioner is in ICE detention without bond pursuant to § 1225(b)(2) and the Board of Immigration Appeals' ("BIA") recent decision *Matter of Yajure Hurtado*, 29 I&N Dec. 215 (BIA 2025). Pet. Introduction and ¶¶ 5, 46-47 and 60. Petitioner argues her detention without bond under § 1225(b)(2) is unlawful, and she seeks either immediate release

¹ See also, e.g., *Ayala Amaya v. Bondi*, No. 25-16427 (ESK), 2025 WL 3033880 (D.N.J. Oct. 30, 2025); *Smit Patel v. Almodovar*, No. 25-15345 (SDW), 2025 WL 3012323 (D.N.J. Oct. 28, 2025); *Lomeu v. Lyons*, No. 25-16589 (EP), 2025 WL 2981296 (D.N.J. Oct. 23, 2025); *Contreras Maldonado v. Cabezas*, No. 25-13004 (JKS), 2025 WL 2985256, at *2 (D.N.J. Oct. 23, 2025); *Soto v. Soto*, No. 25-16200 (CPO), 2025 WL 2976572 (D.N.J. Oct. 22, 2025); *Castillo v. Lyons*, No. 25-16219 (MEF), 2025 WL 2940990 (D.N.J. Oct. 10, 2025).

or a bond hearing under § 1226(a). *Id.* Prayer for Relief. Petitioner was detained in New Jersey when this action was filed. *Id.* ¶ 16.

ICE contends that the Petitioner's detention is governed by § 1225(b)(2) because she is an alien who is present in the United States without admission. As such, she is an "applicant for admission" who is not entitled to a bond hearing. *See* 8 U.S.C. § 1225(a)(1). ICE also contends that the only remedy, if the Court finds § 1225 does not apply, is a bond hearing under § 1226(a) not immediate release. *See, e.g., Vicens-Marquez v. Soto*, No. 25-16906 (KSH), ECF 15 (D.N.J.).

Here, Respondents acknowledge that their answer to this Petition relies on the same statutory arguments asserted in multiple matters throughout the District of New Jersey. Given the similar issues, the importance of efficient resolution of this habeas petition, and the preservation of the Court's and the parties' resources, Respondents incorporate by reference their position with respect to Petitioner's detention under § 1225(b)(2).²

We thank the Court for its attention to this matter.

Respectfully submitted,

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cc: Counsel of record (by ECF)

² In recent matters, courts in this District have summarily adjudicated § 1225(b)(2) habeas matters without requiring a formal answer because Respondents stipulated to material facts and legal issues. *See Moreira Da Silva v. LaForge*, No. 25-17095 (EP), ECF No. 6 (D.N.J. Nov. 13, 2025) (ordering bond hearing following status conference); *Vicens-Marquez v. Soto*, No. 25-16906 (KSH), ECF No. 15 (same).