

ENTERED

December 19, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

XIANJIANG LI,	§	CIVIL ACTION NUMBER
Petitioner,	§	4:25-cv-06081
	§	
	§	
versus	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
MARTIN L. FRINK, <i>et al</i> ,	§	
Respondents.	§	

ORDER

Petitioner Xianjiang Li filed a petition for writ of *habeas corpus* on December 16, 2025. Dkt 1. She states she entered the United States without admission or parole on May 15, 2024, and was placed in removal proceedings the next day. Id at ¶2. She was taken into custody by Immigration and Customs Enforcement on or about November 11, 2025. Id at ¶22. She remains in custody at the Houston Contract Detention Facility. Id at ¶23. She alleges that her detention under 8 USC §1225(b) is unlawful and that she should instead be detained, if at all, under 8 USC §1226(a), which may entitle her to a bond hearing. See id at ¶¶3–4.

Petitioner alleges violations of (i) the Due Process Clause of the Fifth Amendment, (ii) 8 USC §1226, and (iii) bond regulations. Id at ¶¶39–48. She also contends that she is “entitled to the declaratory judgment holding that individuals like her are detained” under §1226(a) in *Maldonado Bautista v Santacruz*, 5:25-cv-01872 (CD Cal). Id at ¶46. Among other relief, she seeks a writ of *habeas corpus* directing Respondents to immediately release her or, in the alternative, provide her a bond hearing pursuant to 8 USC §1226(a) within seven days. Id at 11–12 ¶4.

The undersigned has previously determined that the Government may properly apply 8 USC §1225(b)(2)(A) in these circumstances. See *Montoya Cabanas v Bondi*, 2025 WL 3171331 (SD Tex); *Maceda Jimenez v Thompson*, 2025 WL 3265493 (SD Tex). Such determination would appear to dispose of all contentions in the petition, absent distinguishing facts or other legal authority that causes reconsideration.

The undersigned is also of the preliminary view that the referenced class-certification order in *Maldonado Bautista* doesn't control disposition of this case as it far exceeds the jurisdiction of the district court issuing that order. See also *Calderon Lopez v Lyons*, Dkt 12, civil action 25-226 (ND Tex Dec 19, 2025).

To the extent Petitioner requests immediate release prior to service of Respondents, it is DENIED.

That said, Petitioner is entitled to the show-cause order requested pursuant to 28 USC §2243. See Dkt 1 at 11 ¶2.

This matter is SET for show cause hearing by Zoom for December 23, 2025, at 10:30 am.

Respondents are there ORDERED to show cause as to the propriety of Petitioner's continued detention and present there any writing or document necessary in support.


It is ORDERED that the Clerk will email this order to USATXS.CivilNotice@usdoj.gov to provide notice of this action to Respondents. Such service doesn't substitute for the requirements of formal service but is instead intended only to provide the Government notice and an opportunity to be heard at this initial juncture.

Either party may instead request for the hearing to proceed in person.

The parties may jointly request brief resetting, if necessary and agreed.

SO ORDERED.

Signed on December 19, 2025, at Houston, Texas.



Honorable Charles Eskridge
United States District Judge