

ENTERED

January 15, 2026

Nathan Ochsner, Clerk

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

CESIA SOLANO HURTADO,	§	CIVIL ACTION NUMBER
Petitioner,	§	4:25-cv-06255
	§	
	§	
versus	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
JOE GARCIA, <i>et al</i> ,	§	
Respondents.	§	

ORDER

Petitioner Cesia Solano Hurtado filed a *pro se* petition for writ of *habeas corpus* on December 22, 2025. Dkt 1. She asserts 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. Id at ¶6.

Construed liberally, Petitioner alleges violations of (i) 8 USC §1226, (ii) bond regulations, and (iii) the Due Process Clause of the Fifth Amendment. Id at ¶13. Among other relief, Petitioner 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). Id at ¶15.

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

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.

That said, and even though not requested, Petitioner is entitled to a show-cause order pursuant to 28 USC §2243.

Respondents are thus ORDERED to show cause with a filing that establishes the propriety of Petitioner's continued detention. Such filing must be made by January 23, 2026, absent extension.


Petitioner may file any reply by January 30, 2026.

Hearing will be set if determined necessary after briefing closes.

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.

SO ORDERED.

Signed on January 15, 2026, at Houston, Texas.



Honorable Charles Eskridge
United States District Judge