



U.S. Department of Justice

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BY ECF

Hon. Edward S. Kiel, U.S.D.J.
U.S. District Court for the District of New Jersey
Mitchell H. Cohen United States Courthouse
Camden, NJ 08101

**Re: *Tagle Sanchez*, No. 25-19000
Expedited Answer to § 2241 Petition**

Dear Judge Kiel:

This Office represents Respondents in this habeas matter filed by a noncitizen challenging the legality of his 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 the Court's several decisions in § 1225(b)(2) cases.¹

Petitioner, a native of Peru, entered the United States on or about September 22, 2022 without inspection. Pet ¶¶ 55-56. In or about December 2025, ICE officers arrested Petitioner. *Id.* ¶¶ 63-64. Petitioner is in ICE detention without bond pursuant to the Department of Homeland Security's ("DHS") interpretation of "applicants for admission" under § 1225(b)(2) and the Board of Immigration Appeals' ("BIA") recent decision *Matter of Yajure Hurtado*, 29 I&N Dec. 215 (BIA 2025). Petitioner argues his detention without bond under § 1225(b)(2) is unlawful.

Respondents contend, as they have in all prior § 1225(b)(2) matters in this District, that the Petitioner's detention is governed by § 1225(b)(2) because Petitioner

¹ See, 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); *Rivera Zumba v. Bondi*, No. 25-14626 (KSH), 2025 WL 2753496 (D.N.J. Sept. 26, 2025). Respondents have filed a notice of appeal in *Rivera Zumba*, which would create binding precedent concerning the § 1225(b)(2) issue in this Circuit.

is an alien who entered without inspection or parole and was initially detained by immigration authorities in the interior of the country without having been lawfully admitted. As such, he is an “applicant for admission” who is not entitled to a bond hearing. *See, e.g., Lomeu v. Lyons*, Civ. No. 25-16589 (EP), ECF No. 7, Respondents’ Br. at 9-18 (citing *Matter of Yajure Hurtado*). Respondents also contend that the only remedy, if the Court finds § 1225 does not apply, is a bond hearing under § 1226(a) not immediate release. *See id.*

Here, Respondents acknowledge that their answer to this Petition relies on the same statutory-interpretation arguments made in the prior § 1225(b)(2) matters, and this Petition asserts facts similar to those prior cases. Respondents accordingly submit this expedited answer given the similarity of issues, the importance of efficient resolution of this habeas petition, and the preservation of the Court’s and the parties’ resources.²

We thank the Court for its attention to this matter.

Respectfully submitted,

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² In recent matters, the Court has summarily adjudicated § 1225(b)(2) habeas matters without requiring a formal answer because Respondents raised identical statutory-interpretation arguments and the petition raised similar material facts. *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).