

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ULUGBEK MAMATKULOV,	:	
	:	
Petitioner,	:	
	:	26-CV-00377 (JAV)
-v-	:	
	:	<u>ORDER</u>
HAYNES, et al.,	:	
	:	
Respondents.	:	
	:	
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JEANNETTE A. VARGAS, United States District Judge:

Petitioner filed a Petition for the writ of habeas corpus under 28 U.S.C. § 2241. ECF No. 1 (“Petition” or “Pet.”). The Court ordered that Petitioner not be removed from the country nor transferred beyond a facility in this District, the Eastern District of New York, or the District of New Jersey. ECF No. 3 (“Order”). The Court also directed Respondents to file a letter setting forth, in relevant part, whether Petitioner was, as alleged, detained in this District at the time the Petition was filed; if the government’s asserted basis for Petitioner’s detention is 8 U.S.C. § 1225(b)(2)(A), whether there is any basis to distinguish this case from *Mcdonald v. Francis*, No. 25-CV-09355 (JAV), 2025 WL 3295906 (S.D.N.Y. Nov. 26, 2025); and if this case is materially indistinguishable from *Mcdonald*, whether Respondents would consent to issuance of the writ, subject to preservation of Respondents’ arguments for appeal. Order at 2.

Respondents filed the requested letter on January 17, 2026, confirming Petitioner was detained in this District at the time of filing and that the instant case is not materially distinguishable from *Mcdonald*. ECF No. 7 at 1-2. Specifically, Petitioner unlawfully entered the United States on June 30, 2021, and soon thereafter was arrested by U.S. Customs and

Border Protection near San Ysidro, California. *Id.* at 2. Petitioner was served with a Notice to Appear and released from custody. *Id.* On January 14, 2026, ICE took Petitioner into custody during a check-in at 26 Federal Plaza in Manhattan. *Id.* The primary legal issue presented here concerns the statutory authority for Petitioner's detention, whether it is 8 U.S.C. § 1226(a) or 8 U.S.C. § 1225(b)(2)(A), as the Government argues. *Id.*


For the reasons previously set forth in *Mcdonald*, the Court holds that Section 1225(b)(2)(A) does not govern and that Respondents violated Petitioner's due process rights in exercising its discretionary authority to detain Petitioner under Section 1226(a). Accordingly, the Petition is GRANTED.

The Court ORDERS Respondents to immediately release Petitioner from custody and to certify compliance with this order by **5:00 p.m. on January 21, 2026**.

The Clerk of Court is directed to terminate all pending motions and close the case.

SO ORDERED.

Dated: January 19, 2026
New York, New York


JEANNETTE A. VARGAS
United States District Judge