

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

Miguel Angel Villa Solis
Petitioner-Plaintiff,

V.

MIGUEL VERGARA,
Field Office Director
U.S. Immigration and Customs Enforcement;

Rose Thompson,
Karnes County Immigration Processing Center,
Facility Warden

Respondents-Defendants

Civ. No. 5:26-cv-00213

DHS File Number:



PETITIONER'S RULE 59(e) MOTION

I. INTRODUCTION

Pursuant to Federal Rule of Civil Procedure 59(e), Petitioner Miguel Angel Villa Solis respectfully moves the Court to alter or amend its January 27, 2026, Order dismissing his Petition for Writ of Habeas Corpus for lack of jurisdiction.

Petitioner does not seek reconsideration of the Immigration Judge's discretionary weighing of evidence, nor does he ask this Court to substitute its judgment for that of the Immigration Court. Rather, Petitioner respectfully submits that the Court's dismissal rests on a misapprehension of the nature of the claims presented, which challenge a threshold legal defect in the bond determination process, not the Immigration Judge's discretionary conclusions.

Rule 59(e) relief is appropriate where the Court has committed a manifest error of law or has mischaracterized the legal theory advanced. This motion is narrowly tailored to clarify the

jurisdictional basis of Petitioner's claims and to demonstrate that they fall outside the scope of 8 U.S.C. § 1226(e).

II. LEGAL STANDARD

A Rule 59(e) motion permits a district court to alter or amend a judgment to correct a manifest error of law or fact, or to address a misapprehension of the issues presented. Such motions are not vehicles for relitigating matters already decided, but they are appropriate where the Court has misunderstood the nature of a party's claims or the governing legal framework.

III. ARGUMENT

A. The Court Mischaracterized Petitioner's Claims as Challenges to Discretionary

Judgment

The Court concluded that, "[t]hough couched in due process terms," Petitioner's claims were "ultimately challenges to the IJ's 'discretionary judgment' regarding his detention," and therefore barred by 8 U.S.C. § 1226(e).

Respectfully, that characterization does not reflect the substance of the Petition.

Petitioner did **not** argue that the Immigration Judge should have reached a different discretionary outcome, nor did he ask this Court to reassess the evidentiary weight of any bond factor. Instead, Petitioner challenged whether the Immigration Judge applied a **legally sufficient rule of decision** at all.

The Immigration Judge's written bond order denied release based solely on a conclusory checkbox stating, "high flight risk," without identifying any facts, evidence, or reasoning supporting that determination. Petitioner's claim is that such an order fails to demonstrate that the legally required inquiry occurred, rendering continued detention constitutionally infirm.

The Court is not being asked to review whether the Immigration Judge *correctly exercised discretion*, but whether the Immigration Judge applied a **legally permissible standard** for determining flight risk.

Whether an Immigration Judge's order reflects application of the governing legal standard, rather than an unexplained label, is a **legal question**, or at minimum a **mixed question of law and fact**, distinct from review of discretionary judgment.

B. Section 1226(e) Does Not Bar Review of Threshold Legal Defects in the Bond

Determination Process

Section 1226(e) precludes review of “discretionary judgment[s] regarding the application of [§ 1226] to particular cases.” It does not bar federal courts from reviewing constitutional or legal errors in the detention framework itself.

Petitioner's claim falls squarely within this category of reviewable challenges. He does not ask the Court to reweigh evidence or second-guess the Immigration Judge's discretionary assessment of flight risk. Rather, he challenges whether the Immigration Judge's conclusory bond order, containing no articulated findings or reasoning, satisfies the constitutional minimum required to justify a deprivation of liberty. Whether such an order reflects application of the governing legal standard, or instead constitutes an impermissible rule of decision, is a legal or mixed question of law and fact within this Court's habeas jurisdiction.

The Supreme Court has repeatedly recognized that 8 U.S.C. § 1226(e) does not strip federal courts of jurisdiction over habeas petitions raising constitutional or legal challenges to the immigration detention framework. In *Demore v. Kim*, the Court held that § 1226(e)'s jurisdictional limitation “does not bar habeas review” of constitutional challenges to immigration detention, explaining that the statute does not preclude review of whether detention comports with the Fifth Amendment. 538 U.S. 510, 516–17 (2003). More recently, the Court reaffirmed that § 1226(e) precludes review only of “discretionary judgment[s] regarding the application” of the statute to particular cases and does not bar review of legal questions concerning the scope or sufficiency of the detention authority itself. *Nielsen v. Preap*, 586 U.S. 392, 401 (2019); see also *Jennings v. Rodriguez*, 138 S. Ct. 830, 841 (2018) (recognizing that courts retain jurisdiction to resolve legal and constitutional questions concerning the detention framework notwithstanding § 1226(e)).

If a conclusory bond denial unsupported by any articulated reasoning is sufficient to insulate detention from judicial review, then the availability of constitutional review becomes illusory. The

Court need not decide whether Petitioner is, in fact, a flight risk. The only question presented is whether the Immigration Judge's order demonstrates that the legally required inquiry occurred.

That question is reviewable.

C. The Petition Raises a Mixed Question of Law and Fact Within the Court's Habeas

Jurisdiction

The determination of "flight risk" is not a free-floating discretionary label; it has legal content derived from statute, regulation, and precedent. When an Immigration Judge denies bond without identifying any facts or explaining how the evidence fails to meet that standard, the issue ceases to be discretionary and becomes one of **legal sufficiency**.

Petitioner's detention flows from an order that contains no articulated findings and no indication that the governing standard was applied. Whether such an order can constitutionally support continued detention is a question of law squarely within this Court's habeas jurisdiction.

IV. RELIEF REQUESTED

For the foregoing reasons, Petitioner respectfully requests that the Court:

1. Alter or amend its January 27, 2026 Order pursuant to Rule 59(e);
2. Reconsider its jurisdictional ruling in light of the clarified nature of Petitioner's claims;
and
3. Reinstate the Petition for Writ of Habeas Corpus for consideration on the merits, or grant such other relief as the Court deems just and proper.

V. CONCLUSION

This motion does not seek reconsideration of a discretionary bond determination. It seeks correction of a jurisdictional ruling premised on a misunderstanding of the claims presented. Because Petitioner challenges a threshold legal defect in the bond determination process—not the Immigration Judge's exercise of discretion—Rule 59(e) relief is warranted.

Respectfully submitted,

/s/ Rodolfo Castillo

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of February 2026, I electronically filed the foregoing Petitioner's Rule 59(e) Motion with the Clerk of the United States District Court for the Western District of Texas, San Antonio Division, using the CM/ECF system which automatically serves counsel for the Respondents.

In addition, a copy of this Motion was served upon:

Rose Thompson, Warden
Karnes County Immigration Processing Center,
409 FM 1144
Karnes City, TX 78118
and

Miguel Vergara
San Antonio Field Office ICE-ERO 1777 NE Loop 410 Floor 15
San Antonio, TX 78217

Respectfully submitted,

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