

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FREDI CESAR CRUZ,

Petitioner,

v.

**TODD BLANCHE, Acting Attorney
General, ET AL.,**

Respondents.

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CIVIL NO. DLB-26-1421

JOINT STATUS REPORT

Petitioner and Respondents, by and through undersigned counsel, hereby submit the following status report:

On April 15, 2026, this Court granted in part habeas relief in this matter. ECF 6. The Court ordered, in relevant part, that:

- a. Petitioner is detained under 8 U.S.C. § 1226(a) and Respondents are enjoined from detaining Petitioner under 8 U.S.C. § 1225(b);
- b. Petitioner is entitled to a bond hearing consistent with 8 C.F.R. §§ 236.1(d), 1003.19 and 1236.1(d), which shall be held within 14 days of the Petitioner’s filing of a motion with the Immigration Court with meaningful consideration by the Immigration Judge of applicable, relevant factors;
- ...
- e. Petitioner shall file a status report with this Court if a bond hearing is not held by an Immigration Judge within 14 days of the filing of a motion for a bond hearing;
- f. Petitioner shall file a status report within 14 days of this Order.

Petitioner filed a motion for a bond hearing. On April 23, 2026, the immigration court held a hearing, but denied bond to Petitioner, on the grounds that Petitioner is ostensibly subject to

mandatory detention under 8 U.S.C. § 1225(b), relying on *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216, (BIA 2025) and *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 32330 (5th Cir. Feb. 6 2026), and therefore the immigration court lacked jurisdiction over the matter. Exhibit 1.

Based the Immigration Judge's Order, it appears that the Immigration Judge refused to conduct a bond hearing under 8 U.S.C. § 1226(a) and failed to make any findings on the merits under that provision. Given that this Court's Order required "a bond hearing before an Immigration Judge ("IJ") under 8 U.S.C. § 1226(a)" it is clear that the Immigration Judge failed to comply with the Court's directive. A proceeding in which the Immigration Judge refuses to assume § 1226(a) jurisdiction is not consistent with this Court's order and is insufficient to suffice as a bond hearing on the merits under § 1226(a), as required by the Court's order.

Accordingly, Petitioner requests that in accordance with the Court's order, Respondents immediately release Petitioner from custody. Respondents take no position on this relief.

Dated: April 24, 2026

Respectfully submitted,

Kelly O. Hayes
United States Attorney

/s/
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Counsel for Respondents

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 24th day of April 2026, a copy of the foregoing Joint Status Report was served via CM/ECF on all parties and counsel receiving electronic notice in this case.

/s/ Jason D. Medinger
Jason D. Medinger
Assistant U.S. Attorney