

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOSE COTO SAC,

Petitioner,

v.

JOHN DOE, WARDEN OF DELANEY
HALL, et al.,

Respondents.

Civil Action No. 25-18244 (RK)

ORDER

This matter comes before the Court on Petitioner Jose Coto Sac's Petition for Writ of Habeas Corpus brought pursuant to 28 U.S.C. § 2241 (ECF No. 1), asserting that he is unlawfully detained by immigration authorities under 8 U.S.C. § 1225(b)(2) and seeking release or an individualized bond hearing under 8 U.S.C. § 1226(a).

Respondents filed a letter response on December 19, 2025 (ECF No. 8), stipulating to the relevant facts alleged in the Petition¹ and acknowledging that they rely on the same statutory interpretation set forth in *Matter of Yajure Hurtado*, 29 I&N Dec. 215 (BIA 2025) (see ECF No. 4), which was rejected by this Court in *Mejia v. Cabezas*, No. 25-CV-17094, 2025 WL 3294405, at *2 (D.N.J. Nov. 14, 2025).

Therefore, for the same reasons stated in *Mejia*, the Court **GRANTS** the Petition and directs Respondents to provide Petitioner with a bond hearing by December 30, 2025.

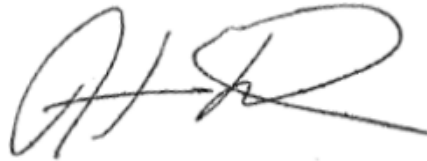
¹ Respondents stipulate that Petitioner is a citizen of Guatemala who entered the United States without inspection at an unknown place and time and was later arrested on December 4, 2025. (ECF No. 8 at 1 (citing Ex. 1 (Dec. 4, 2025 Notice to Appear)).) Petitioner was erroneously moved out of this District on December 13, 2025, after this Court entered an Order enjoining his transfer or removal (ECF Nos. 4, 6-7), but, on December 18, 2025, ICE returned Petitioner to Delaney Hall Detention Facility in Newark, New Jersey. (*Id.* at 2 (citing Ex. 2 (Dec. 19, 2025 Form I-830)).)

IT IS on this 23rd day of December 2025,

ORDERED that the petition for writ of habeas corpus under 28 U.S.C. § 2241 (ECF No. 1) is **GRANTED**; and it is further

ORDERED that Respondents shall provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) and 8 C.F.R. § 236.1(d) by December 30, 2025; and it is further

ORDERED that within 3 days of the bond hearing, Respondents shall file a letter advising the Court of the outcome of that bond hearing; upon receiving that update, the Court will close this matter.

A handwritten signature in black ink, appearing to read 'R. Kirsch', is written above a horizontal line.

ROBERT KIRSCH
United States District Judge