

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

<p>Dennis M</p> <p>Petitioner,</p> <p>-v-</p> <p>Todd Lyons, <i>in his official capacity, Field Office Director for U.S. Immigration and Customs Enforcement (ICE) in New York; Kristi Noem, in her official capacity, Secretary of the Department of Homeland Security; Pamela Bondi, in her official capacity, Attorney General,</i></p> <p>Respondents.</p>	<p>2:25-cv-6 (NJC)</p>
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ORDER

NUSRAT J. C

United States District Judge:

On December 3, 2025, Petitioner filed a Petition for Writ of Habeas Corpus. (*See* ECF No. 1.) Petitioner also filed an Application for Issuance of Order to Show Cause, “directing Respondents to file a return within three days of the Court’s order, showing cause, if any, why the writ of habeas corpus should not be granted.” (ECF No. 1-1.)

For the reasons discussed at the Court’s hearing on the Petition on December 12, 2025, which are to be set forth in more detail in a forthcoming written Opinion and Order, the Petition for a Writ of Habeas Corpus, which is made pursuant to 28 U.S.C. § 2241 is GRANTED.

Moreover, as the Court noted on the record, Respondents transferred Mr. Minarcaya from New York to ICE detention in Texas on December 10, 2025 in violation of two orders of this Court: a December 4, 2025 Order prohibiting Respondents from transferring Mr. Minarcaya outside the Eastern District of New York, the Southern District of New York, and the

District of New Jersey (ECF No. 6); and a December 8, 2025 Order to Produce Mr. Minarcaja Concha in Courtroom 1040 of the Alfonse D'Amato U.S. Courthouse for the Show Cause Hearing on the Petition (ECF No. 11).

The Court therefore ORDERS that Respondents: (1) return Mr. Minarcaja Concha from Cibola County Correctional Center to Nassau County or Suffolk County, New York no later than December 13, 2025; (2) release Mr. Minarcaja Concha from ICE custody once he is in Nassau County or Suffolk County; and (3) inform Petitioner's counsel of the precise time and location of Mr. Minarcaja Concha's projected release with sufficient notice so that family members may pick him up.

The Court FURTHER ORDERS that Respondents shall not deny Mr. Minarcaja Concha bond in any subsequent proceeding on the basis that he must be detained pursuant to Section 1225(b) absent a change in relevant circumstances consistent with this Order.

Dated: Central Islip, New York
December 12, 2025

/s/ Nusrat J. Choudhury
NUSRAT J. CHOUDHURY
United States District Judge