

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-	)	
██████████	)	
Guaman Pomaquiza,	)	
	)	
Petitioner,	)	
	)	
v.	)	CIVIL ACTION
	)	NO. 26-cv-12945-WGY
██████████ MONIZ, Warden of Plymouth	)	
County Correctional Facility;	)	
PATRICIA H. HYDE, Field Office	)	
Director, New England Field Office	)	
U.S. Immigration and Customs	)	
Enforcement; MARKWAYNE MULLIN,	)	
Secretary of the Department of	)	
Homeland Security; TODD W. BLANCHE	)	
Acting Attorney General,	)	
	)	
Respondent.	)	
	)	

YOUNG, D.J.

July 15, 2026

ORDER

The Court has reviewed the petition filed by Petitioner ██████████ Guaman Pomaquiza ("Guaman Pomaquiza") for habeas corpus relief under 28 U.S.C. § 2241 ("Pet." or "the Petition"), ECF No. 1, as well as the Respondent's response, Resp. Habeas Pet. ("Resp."), ECF No. 6.

District courts retain jurisdiction to hear noncitizens' challenges to the legality of their immigration detention. Kong v. United States, 62 F.4th 608, 614 (1st Cir. 2023). Since

Guaman Pomaquiza challenges her continued detention, this Court has jurisdiction over her petition.

This Court agrees with petitioner Guaman Pomaquiza that her custody is governed by 8 U.S.C. § 1226(a) which, as due process requires, entitles her to a bond hearing before an immigration judge. This conclusion is consistent with a growing body of this court's rulings in similar cases. See, e.g., Sampiao v. Hyde, 799 F. Supp. 3d 14, 19-20 (D. Mass. 2025) (Kobick, J.); De Andrade v. Moniz, 802 F. Supp. 3d 325, 333 (D. Mass. 2025) (Saylor, J.); Araujo da Silva v. Bondi, No. 25-CV-12672-DJC, 2025 WL 2969163, at *2 (D. Mass. Oct. 21, 2025) (Casper, C.J.); Chuqui Paredes v. Moniz, No. CV 26-10335-FDS, 2026 WL 309632, at *2 (D. Mass. Feb. 5, 2026) (Saylor, J.).

The Court hereby ALLOWS the Petition insofar as it seeks a bond hearing/individualized custody redetermination before an immigration judge, at which the government bears the burden of proving Guaman Pomaquiza poses a danger to the community or flight risk, see Hernandez-Lara v. Lyons, 10 F.4th 19, 41 (1st Cir. 2021), and ORDERS this hearing be held within seven (7) days of the date of this Order. The Court further ORDERS Respondents to file a status report -- stating whether Petitioner has been granted bond and, if her request for bond is denied, the reasons for the denial -- within ten (10) days of this Order.

SO ORDERED.

/s/ William G. Young

WILLIAM G. YOUNG

DISTRICT JUDGE