UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

RONY JACINTO VICENTE (A-Number: 216-578-787), Petitioner, v. WARDEN OF THE GOLDEN STATE ANNEX DETENTION FACILITY, et al., Respondents.	Case No. 1:26-cv-00577-DC-JDP (HC) ORDER ADOPTING IN PART FINDINGS AND RECOMMENDATIONS (ECF No. 16)

Petitioner, an immigration detainee, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 30, 2026, the magistrate judge filed findings and recommendations herein, which were served on all parties and contained notice that any objections to the findings and recommendations were to be filed within fourteen days. (ECF No. 16.) On May 20, 2026, Petitioner filed objections to the findings and recommendations. (ECF No. 17.) The undersigned has considered Petitioner's objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper

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analysis. However, consistent with this court's previous decisions, the court finds that Petitioner's detention has become unconstitutionally prolonged such that Petitioner is entitled to a bond hearing before a neutral adjudicator at which the government bears the burden of showing by clear and convincing evidence that Petitioner is either a flight risk or a threat to safety to justify his continued detention. *See Inderjit Singh v. Albarran*, No. 1:26-cv-00940-DC-DMC, 2026 WL 392169 (E.D. Cal. Feb. 12, 2026) (granting motion for temporary restraining order and ordering a bond hearing where the petitioner was detained pursuant to 8 U.S.C. § 1226(c) for approximately 12 months without a bond hearing); *see also Rodriguez v. Warden, California City Det. Facility*, No. 1:26-cv-01373-DC-SCR, 2026 WL 1727199 (E.D. Cal. June 15, 2026) (granting petition for a writ of habeas corpus and ordering a bond hearing where the petitioner was detained pursuant to 8 U.S.C. § 1226(c) for over 6 months without a bond hearing).

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed April 30, 2026 (ECF No. 16), are ADOPTED IN PART;

2. Petitioner Rony Jacinto Vicente's (A# 216-578-787) application for a writ of habeas corpus (ECF No. 1) is GRANTED on procedural due process grounds;

3. Within fourteen (14) days of the date of entry of this order, Respondents are ORDERED to provide Petitioner with a bond hearing before an immigration judge at which the government shall bear the burden of proving, by clear and convincing evidence, that Petitioner is either a flight risk or risk to community safety such that Petitioner's continued immigration detention is justified;

4. If Petitioner is granted release on bond, Respondents shall return all of Petitioner's documents and possessions at the time of release;

5. The Clerk of the Court is directed to serve the Golden State Annex Detention Facility with a copy of this order; and

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6. The Clerk of the Court is ordered to enter judgment in favor of Petitioner and close this case.

IT IS SO ORDERED.

Dated: **August 12, 2026**

Dena Coggins
United States District Judge