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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 FRANCIS JAVIER FLORES CACERES
12 (A-Number: 221-490-895),

13 Petitioner,

14 v.

15 SCOTT FRAUENHEIM, et al.,

16 Respondents.
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No. 1:26-cv-05940-KES-FJS (HC)

ORDER GRANTING PETITION FOR WRIT
OF HABEAS CORPUS AND REQUIRING
BOND HEARING WITHIN TEN (10) DAYS

Doc. 1

18 Petitioner Francis Javier Flores Caceres is an immigration detainee proceeding through
19 counsel with a petition for writ of habeas corpus. Doc. 1. In response to the petition, respondents
20 argue that “[d]etention in this case was pursuant to 8 U.S.C. § 1225(b)(2)(A), and [r]espondents
21 respectfully maintain [their] position that such provision governs here.” Doc. 8 at 1. But
22 respondents acknowledge that the Ninth Circuit rejected that argument in *Rodriguez Vazquez v.*
23 *Bostock*, 183 F.4th 1160 (9th Cir. 2026), and held that 8 U.S.C. § 1226(a) applies to noncitizens
24 in petitioner’s circumstances. Respondents concede that petitioner is “entitled to seek a custody
25 redetermination hearing before an immigration judge.” *Id.* at 2.

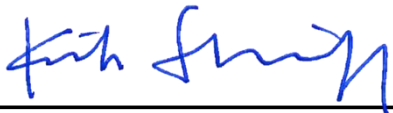
26 Accordingly, the petition for writ of habeas corpus is GRANTED. Respondents are
27 ORDERED to provide petitioner Francis Javier Flores Caceres (A-Number: 221-490-895) with a
28 bond hearing before a neutral arbiter pursuant to 8 U.S.C. § 1226(a) and its implementing

1 regulations within ten (10) days of the date of this Order. Respondents shall immediately provide
2 petitioner with a copy of this Order and shall provide him with 72 hours' written notice before the
3 bond hearing in a language that he can understand. Petitioner may be represented by an attorney
4 at this hearing, and respondents may extend the deadline at petitioner's request so that he can
5 obtain an attorney. If petitioner obtains an attorney, his attorney shall also be given 72 hours'
6 written notice before the bond hearing. The neutral decisionmaker must consider petitioner's
7 financial circumstances in setting the amount of bond and alternative conditions of release in lieu
8 of detention without bond. If respondents do not provide petitioner with a bond hearing within
9 ten (10) days, then respondents must release him.

10 The Clerk of Court is directed to close this case and enter judgment for petitioner. The
11 Clerk is directed to serve Central Valley Annex with a copy of this Order.

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14 IT IS SO ORDERED.

15 Dated: September 14, 2026

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UNITED STATES DISTRICT JUDGE