THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CRISTIAN YOVANY ARIIJOS TAPUY	**CIVIL ACTION**
v.	**No. 26-294**
WARDEN JL JAMISON, *et al.*	

ORDER

AND NOW, this 27th day of January, 2026, upon consideration of the Petition for a Writ of Habeas Corpus and the answer and response thereto, it is hereby **ORDERED**:

1. The petition (ECF No. 1) is **GRANTED** for the reasons in the accompanying memorandum.

2. Ariijos Tapuy is not subject to mandatory detention under 8 U.S.C. § 1225 and is instead subject to detention, if at all, pursuant to the discretionary provisions of 8 U.S.C. § 1226(a).

3. The respondents shall immediately **RELEASE** Ariijos Tapuy from custody.

4. The respondents shall certify compliance with this Memorandum and Order by a filing on the docket by January 29, 2026 regarding Ariijos Tapuy's custody status.

5. Respondents are **ENJOINED** for a period of seven days following Ariijos Tapuy's release from custody pursuant to this order from detaining Ariijos Tapuy on the putative legal bases for his present arrest and detention, which is to say under 8 U.S.C. §§ 1225 or 1226.[1]

6. If the government seeks to detain Ariijos Tapuy after the period of seven days has elapsed, it must provide him with a bond hearing within 48 hours of his detention.

[1] If Ariijos Tapuy is not released from custody because he is otherwise detained, for instance on a criminal or civil commitment, then the seven-day period begins on the date of the lifting of detainers related to his immigration detention under §§ 1225 and 1226.

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7. The Motion for a Temporary Restraining Order is **DENIED** as **MOOT**.

BY THE COURT:

/s/ Catherine Henry
CATHERINE HENRY, J.