

United States District Court
District of Massachusetts

Joel Alexander Vigil Rodriguez,)
Petitioner,)
v.) Civil Action No.
David Wesling, et al.,) 26-10269-NMG
Respondents.)

ORDER

GORTON, J.

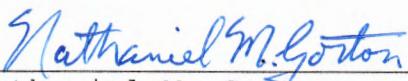
This case arises from the petition for writ of habeas corpus (Docket No. 1) of petitioner Joel Alexander Vigil Rodriguez ("Rodriguez"). He contends that David Wesling and other named respondents have refused to grant him a bond hearing on the basis of his detention pursuant to 8 U.S.C. §1225(b)(2), despite his contention that he is eligible for such a hearing under §1226(a).

For the reasons set forth in Lema Zamora v. Noem, No. 25-cv-12750-NMG, 2025 WL 2958879 (D. Mass. Oct. 17, 2025) and Lopez-Monteros v. Hyde, No. 25-cv-12629-NMG (D. Mass. Oct. 27, 2025), the petition for writ of habeas corpus (Docket No. 1) is **ALLOWED**. The Court directs that Rodriguez is to be released unless he is afforded a bond hearing that complies with the

standards in Hernandez-Lara v. Lyons, 10 F.4th 19 (1st Cir. 2021), within seven days of the date of this order.

The Court understands that petitioner was impermissibly transferred outside the jurisdiction of this Court to the Strafford County Department of Corrections in Dover, New Hampshire. See Docket Nos. 4, 6. Petitioner may remain in that location pending his bond hearing but any future violations of this Court's standing order in this case or other habeas cases will result in the imposition of sanctions.

So ordered.


Nathaniel M. Gorton
Senior United States District Judge

Dated: February 6, 2026