

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

A.M. v. Kevin Joyce, Sheriff, Cumberland County, et al.

A.M. v. Joyce, No. 2:25-cv-00615-LEW (D. Me. Dec. 22, 2025) · No. No. 2:25-cv-00615-LEW · Decided December 22, 2025

SUMMARY

The United States District Court for the District of Maine denied A.M.’s petition for a writ of habeas corpus and emergency motion seeking release from immigration detention. The court held that, because A.M. had been paroled into the United States without being admitted and remained subject to detention under 8 U.S.C. § 1225(b)(2), he was not presently entitled to a bond hearing under due process principles. The court also rejected his equal protection challenge and dismissed the matter without a hearing.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	Lance E. Walker
JURISDICTION	United States District Court for the District of Maine
DECIDED	December 22, 2025
DOCKET	No. 2:25-cv-00615-LEW
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 and moved for emergency temporary and preliminary injunctive relief, seeking release from immigration detention or a bond hearing. The court denied both requests without an evidentiary hearing and dismissed the matter.
STANDARD OF REVIEW	The petitioner bears the burden of proving that detention violates the Constitution, federal law, or a treaty. The court evaluated the due-process claim under the Mathews v. Eldridge balancing framework and the alienage-based equal-protection claim under rational-basis review.
PRECEDENTIAL VALUE	unknown
PARTIES	A.M. v. Kevin Joyce, Sheriff, Cumberland County, et al.

TOPICS

immigration detention

removal proceedings

procedural due process

equal protection

judicial review of agency action

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether A.M.'s detention without a prompt bond hearing violated the Due Process Clause because he was not returned to custody immediately after the expiration of his parole.
2. Whether A.M. was detained in violation of equal protection because his arrest allegedly resulted from anti-Afghan statements and enforcement policies following a shooting involving an Afghan national.
3. Whether the court should order A.M.'s immediate release or compel a bond or parole hearing.

HOLDINGS

1. Because A.M. was never admitted to the United States and remained an arriving alien seeking admission who had been paroled under 8 U.S.C. § 1182(d)(5), he remained subject to detention under § 1225(b)(2) after his parole expired. His detention without an immediate bond hearing did not, on the record and at the relatively early stage of detention presented, violate due process.
2. The approximately three-month period between expiration of A.M.'s parole and his return to custody was reasonable and did not create a due-process right to release or a bond hearing.
3. The record did not establish an equal-protection violation. Alienage-based distinctions in this immigration context are subject to rational-basis review, and the government offered plausible reasons for increased scrutiny of Afghan nationals that were sufficient to sustain the arrest and detention.

KEY QUOTATIONS

“Under federal law, Petitioner has never been admitted into the United States and, instead, has been paroled under section 1182(d)(5) for a period of years subject to a condition that he be detained upon expiration of parole for purposes of attending to his removal” (Discussion, Part A)

“The happenstance that INS took him into custody pursuant to a warrant should not have the talismanic effect of unwinding Petitioner’s entire inspection, admission seeking, and parole history.” (Discussion, Part A)

“On this record, I find the Government’s position sufficient to justify Petitioner’s arrest.” (Discussion, Part B)

FACTUAL BACKGROUND

A.M., an Afghan citizen and national, entered the United States after receiving approval associated with a Special Immigrant Visa but was paroled rather than admitted under 8 U.S.C. § 1182(d)(5). His parole, initially granted for two years and later extended, expired on September 6, 2025. USCIS denied his adjustment-of-status application on September 8, 2025, and he was arrested on December 5, 2025, after an immigration officer issued

a warrant based on probable cause that he was removable. He had no criminal convictions and had lived in the Boston area with his family for approximately four years when he filed the habeas petition.

PROCEDURAL HISTORY

A.M. was arrested by immigration authorities on December 5, 2025, after USCIS denied his application for adjustment of status and issued a Notice to Appear in removal proceedings. He filed a § 2241 habeas petition on December 11, 2025. The court issued an order to show cause, received the federal respondents' return and response and the petitioner's reply, and resolved the matter on the legal record without a hearing.

DISPOSITION

dismissed

CASES CITED

- *Tijerina v. Thornburgh*, 884 F.2d 861, 866 (5th Cir. 1989)
- *Reno v. Flores*, 507 U.S. 292, 306 (1993)
- *Demore v. Kim*, 538 U.S. 510, 516-17, 523 (2003)
- *Kong v. United States*, 62 F.4th 608, 614 (1st Cir. 2023)
- *Hernandez-Lara v. Lyons*, 10 F.4th 19, 27-35, 41 (1st Cir. 2021)
- *Landon v. Plasencia*, 459 U.S. 21, 32 (1982)
- *Jennings v. Rodriguez*, 583 U.S. 281, 288-89, 300 (2018)
- *Brito v. Garland*, 22 F.4th 240, 244 (1st Cir. 2021)
- *Dep't of Homeland Security v. Thuraissigiam*, 591 U.S. 103, 138 (2020)
- *Chanaguano Caiza v. Scott*, No. 1:25-CV-00500-JAW, 2025 WL 3013081, at *6-8 (D. Me. Oct. 28, 2025)
- *De Oliveira v. Joyce*, No. 2:25-CV-00291-LEW, 2025 WL 1826118 (D. Me. July 2, 2025)
- *Johnson v. Arteaga-Martinez*, 596 U.S. 573, 582 (2022)
- *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001)
- *Reid v. Donelan*, 17 F.4th 1, 5 (1st Cir. 2021)
- *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992)
- *Hamdi v. Rumsfeld*, 542 U.S. 507, 530 (2004)
- *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA Sept. 5, 2025)
- *Leng May Ma v. Barber*, 357 U.S. 185, 188-90 (1958)
- *Bolling v. Sharpe*, 347 U.S. 497, 499 (1954)
- *Mathews v. Diaz*, 426 U.S. 67, 78-84 (1976)
- *FCC v. Beach Communications, Inc.*, 508 U.S. 307, 313-14 (1993)
- *United States Railroad Retirement Board v. Fritz*, 449 U.S. 166, 179 (1980)
- *Family Planning Ass'n of Maine v. Kennedy*, No. 1:25-cv-00364-LEW, 2025 WL 2591542, at *1 (D. Me. Sept. 8, 2025)

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