

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
OHIO, EASTERN DIVISION

Jamshid Tokhirov v. Mahoning County Justice Center, et al.

Tokhirov · No. 4:26-cv-912 · Decided April 24, 2026

SUMMARY

The United States District Court for the Northern District of Ohio dismissed Jamshid Tokhirov’s 28 U.S.C. § 2241 petition seeking release from immigration detention or an individualized bond hearing. The court concluded that it lacked jurisdiction under the Immigration and Nationality Act to review the challenged detention and bond-related issues. Alternatively, the court held that Tokhirov had not exhausted available administrative remedies before the Board of Immigration Appeals.

CASE DETAILS

COURT	United States District Court for the Northern District of Ohio, Eastern Division
WRITING FOR THE COURT	J. Philip Calabrese
JURISDICTION	United States District Court for the Northern District of Ohio, Eastern Division
DECIDED	April 24, 2026
DOCKET	4:26-cv-912
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 seeking immediate release from immigration detention or an individualized bond hearing.
STANDARD OF REVIEW	Initial habeas-petition screening under 28 U.S.C. § 2243 and Rule 4 of the Rules Governing Section 2254 Cases, applied to § 2241 petitions through Rule 1(b); allegations are accepted as true and construed in the petitioner's favor, but dismissal is required when the petition plainly shows that the petitioner is not entitled to relief.
PRECEDENTIAL VALUE	district court opinion; precedential status unknown
PARTIES	Jamshid Tokhirov v. Mahoning County Justice Center, et al.

TOPICS

immigration detention

subject matter jurisdiction

exhaustion of remedies

removal proceedings

procedural due process

PRACTICE AREAS

immigration law

habeas corpus

federal jurisdiction

administrative law

constitutional law

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction under 28 U.S.C. § 2241 and 8 U.S.C. § 1252 to review Tokhirov's constitutional and statutory challenges to his immigration detention and request for a bond hearing while his removal appeal was pending.
2. Whether, assuming jurisdiction existed, prudential exhaustion required Tokhirov to pursue his pending appeal before the Board of Immigration Appeals before seeking habeas relief.
3. Whether exhaustion should be excused as futile.

HOLDINGS

1. The district court lacked jurisdiction to review Tokhirov's petition because his constitutional and statutory challenges to detention and entitlement to a bond hearing were intertwined with interpretation and application of the immigration detention and removal statutes, matters that 8 U.S.C. § 1252 limits or commits to the statutory review process.
2. Even if the district court possessed jurisdiction, prudential exhaustion required Tokhirov to pursue his pending appeal to the Board of Immigration Appeals before seeking habeas relief.
3. Tokhirov failed to establish that exhaustion was futile or that prudential reasons justified excusing exhaustion.

KEY QUOTATIONS

“For these reasons, the Court lacks jurisdiction over the petition but if it had jurisdiction would require exhaustion as a prudential matter. Accordingly, the Court DISMISSES the petition for a writ of habeas corpus.” (12)

FACTUAL BACKGROUND

Tokhirov, a citizen and national of Uzbekistan, had been unlawfully present in the United States since 2023 and had been detained in immigration custody since August 10, 2025. An immigration judge ordered him removed to Uzbekistan on November 14, 2024, and his appeal to the Board of Immigration Appeals remained pending. He alleged that he had no criminal history, had appeared at all immigration hearings, and was being detained without an individualized bond determination, despite the alleged prolonged, indefinite, and unnecessary nature of his detention.

PROCEDURAL HISTORY

An immigration judge ordered Tokhirov removed to Uzbekistan on November 14, 2024. Tokhirov timely appealed to the Board of Immigration Appeals, and that appeal remained pending when he filed this § 2241 petition on April 17, 2026. The district court dismissed the petition, concluding that it lacked jurisdiction and, alternatively, that prudential exhaustion required dismissal while the BIA appeal remained pending.

DISPOSITION

dismissed

CASES CITED

- Alexander v. Northern Bureau of Prisons, 419 F. App'x 544, 545 (6th Cir. 2011)
- Jennings v. Rodriguez, 583 U.S. 281, 294, 297 (2018)
- Nielsen v. Preap, 586 U.S. 392, 402 (2019)
- Zadvydas v. Davis, 533 U.S. 678, 682 (2001)
- Reno v. Flores, 507 U.S. 292, 309 (1993)
- Department of Homeland Security v. Thuraissigiam, 591 U.S. 103, 107 (2020)
- Demore v. Kim, 538 U.S. 510, 526 (2003)
- Carlson v. Landon, 342 U.S. 524, 545 (1952)
- Reno v. American-Arab Anti-Discrimination Committee, 525 U.S. 471, 486 (1999)
- Leonardo v. Crawford, 646 F.3d 1157, 1160 (9th Cir. 2011)
- Rabi v. Sessions, No. 19-3249, 2018 U.S. App. LEXIS 19661, at *1–2 (6th Cir. July 16, 2018)
- Khalili v. Holder, 557 F.3d 429, 435 (6th Cir. 2009)
- Rojas-Garcia v. Ashcroft, 339 F.3d 814, 819 (9th Cir. 2003)
- Beharry v. Ashcroft, 329 F.3d 51, 62 (2d Cir. 2003)
- McCarthy v. Madigan, 503 U.S. 140, 145 (1992)
- McKart v. United States, 395 U.S. 185, 193–95 (1969)

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