

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Hussain Ali Qurbani v. Kristi Noem et al.

No. 1:26-cv-534 (W.D. Mich. Mar. 2, 2026) · No. 1:26-cv-534 · Decided March 2, 2026

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Hussain Ali Qurbani’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that detention was governed by 8 U.S.C. § 1226(a), rather than the mandatory-detention framework of § 1225(b)(2)(A), and concluded that Petitioner was entitled to a bond hearing or release. Respondents were ordered to provide the hearing within five business days and file a compliance status report.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Jane M. Beckering
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	March 2, 2026
DOCKET	1:26-cv-534
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner brought a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and seeking release or a bond hearing. After ordering Respondents to show cause and receiving their response and Petitioner's reply, the court conditionally granted the petition.
STANDARD OF REVIEW	De novo consideration of the legal questions presented in the § 2241 habeas petition; the opinion does not identify a separately stated standard of review.
PRECEDENTIAL VALUE	Unpublished district-court opinion; precedential status is not stated in the opinion.
PARTIES	Hussain Ali Qurbani v. Kristi Noem, et al.

TOPICS

immigration detention

due process

statutory interpretation

remedies

civil procedure

PRACTICE AREAS

immigration law

federal habeas corpus

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QUESTIONS PRESENTED

1. Whether the court should enforce prudential exhaustion of administrative remedies before considering Petitioner's § 2241 challenge to immigration detention.
2. Whether 8 U.S.C. § 1226(a) or the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A) governs the detention of a noncitizen who had resided in the United States and was already present in the country when apprehended and arrested.
3. Whether Petitioner's detention under the mandatory-detention framework of § 1225(b)(2)(A) violates the Fifth Amendment Due Process Clause.
4. Whether the ICE Detroit Field Office Director is the only proper respondent, or whether the Secretary of Homeland Security should remain as a respondent.

HOLDINGS

1. The court declined to enforce prudential exhaustion against Petitioner and held in the alternative that waiver of exhaustion was appropriate.
2. Section 1226(a), rather than 8 U.S.C. § 1225(b)(2)(A), governs detention of noncitizens who have resided in the United States and were already within the United States when apprehended and arrested.
3. Petitioner's current detention under the mandatory-detention framework of 8 U.S.C. § 1225(b)(2)(A) violates the Fifth Amendment Due Process Clause.
4. The ICE Detroit Field Office Director is not the only proper respondent; the court retained both the ICE Detroit Field Office Director and the Secretary of Homeland Security.

KEY QUOTATIONS

“The Court concludes that Petitioner’s current detention under the mandatory detention framework set forth in § 1225(b)(2)(A) violates Petitioner’s Fifth Amendment due process rights” (Section V.B)

“The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court’s Opinion and Judgment with notice to the Parties as soon as practicable, no later than 24 hours prior to the scheduled hearing, or, in the alternative, immediately release Petitioner from custody.” (Conclusion)

FACTUAL BACKGROUND

Petitioner is a native and citizen of Afghanistan who entered the United States on or about November 23, 2022, without inspection and was arrested by a Border Patrol agent three days later. DHS charged him with inadmissibility under INA §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I), and later paroled him into the United States

for one year beginning January 9, 2023. ICE arrested him on December 23, 2025, when he appeared for a scheduled ICE check-in, and detained him at the North Lake Processing Center in Michigan.

PROCEDURAL HISTORY

Qurbani filed a § 2241 habeas petition challenging the lawfulness of his ICE detention and requesting release or a bond hearing. The court ordered Respondents to show cause on February 18, 2026; Respondents responded on February 23, and Petitioner replied on March 1. The court conditionally granted habeas relief and ordered a bond hearing or immediate release.

DISPOSITION

writ_granted

CASES CITED

- Hamdi v. Rumsfeld, 542 U.S. 507, 525 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 687 (2001)
- A. A. R. P. v. Trump, 145 S. Ct. 1364, 1367 (2025)
- Antele Cobix v. Raycraft, No. 1:25-cv-1669, 2025 WL 3562651 (W.D. Mich. Dec. 12, 2025)
- Candela Bastidas v. Noem, No. 1:25-cv-1528, 2025 WL 3562638 (W.D. Mich. Dec. 12, 2025)
- Acuna Sanchez v. Noem, No. 1:25-cv-1442, 2025 WL 3562577 (W.D. Mich. Dec. 12, 2025)
- Penagos Robles v. U.S. Dep't of Homeland Sec., No. 1:25-cv-1578, 2025 WL 3558128 (W.D. Mich. Dec. 12, 2025)
- Buenrostro-Mendez v. Bondi, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)