

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

Brahim Mohamed v. Kevin Raycraft et al.

Mohamed · No. 1:25-cv-1836 · Decided January 2, 2026

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Brahim Mohamed’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 § 1225(b)(2)(A), and violated the Fifth Amendment because Mohamed had not received a bond hearing; it ordered a bond hearing within five business days or immediate release.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Hala Y. Jarbou
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	January 2, 2026
DOCKET	1:25-cv-1836
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging his immigration detention and requesting release or a constitutionally adequate bond hearing. The district court conditionally granted the petition and ordered a bond hearing under 8 U.S.C. § 1226(a), or immediate release.
STANDARD OF REVIEW	The court reviewed the legality of petitioner's custody under 28 U.S.C. § 2241 and considered whether the detention violated the Constitution or laws of the United States.
PRECEDENTIAL VALUE	unpublished district court opinion; persuasive but not binding precedent outside the case
PARTIES	Brahim Mohamed v. Kevin Raycraft, Secretary for the Department of Homeland Security, United States Department of Homeland Security,

TOPICS

immigration detention

due process

procedural due process

statutory interpretation

remedies

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QUESTIONS PRESENTED

1. Whether the court should enforce prudential exhaustion of available immigration bond-hearing and administrative remedies.
2. Whether 8 U.S.C. § 1225(b)(2)(A) or 8 U.S.C. § 1226(a) governed the detention of a noncitizen who had resided in the United States and was apprehended within the country.
3. Whether petitioner's detention without a bond hearing violated the Fifth Amendment Due Process Clause.
4. Whether the ICE Detroit Field Office Director was the only proper respondent in the habeas action.
5. What relief and compliance measures were appropriate if habeas relief was granted.

HOLDINGS

1. The court declined to enforce prudential exhaustion against petitioner and alternatively concluded that waiver of exhaustion was appropriate.
2. Section 1226(a), rather than 8 U.S.C. § 1225(b)(2)(A), governs the detention of a noncitizen who has resided in the United States and is apprehended and arrested within the United States.
3. Petitioner's current detention under the mandatory detention framework of 8 U.S.C. § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
4. The ICE Detroit Field Office Director was not the only proper respondent; the court retained the ICE Detroit Field Office Director and the Secretary for the Department of Homeland Security, while dismissing the Department of Homeland Security, the Attorney General, and the Executive Office for Immigration Review as respondents.

KEY QUOTATIONS

“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 or, in the alternative, immediately release Petitioner from custody.” (Conclusion)

“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)

FACTUAL BACKGROUND

Mohamed, a citizen of Mauritania, entered the United States near Tecate, California, on or about December 6, 2023, without being admitted or paroled. After being arrested by Border Patrol, he was charged with inadmissibility under INA §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) and released on recognizance. ICE arrested him again on November 20, 2025, on the same inadmissibility charges, but he had not received a bond hearing before filing the § 2241 petition.

PROCEDURAL HISTORY

Mohamed filed a counseled § 2241 petition on December 18, 2025. The court ordered the respondents to show cause, and the respondents filed a response the next day, arguing, among other things, that Mohamed had not exhausted available administrative remedies and was subject to mandatory detention under 8 U.S.C. § 1225(b)(2). The court declined to enforce prudential exhaustion, held that § 1226(a) governed the detention, concluded that the detention violated due process, retained certain respondents, dismissed others, and conditionally granted habeas relief.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the opinion and judgment, or immediately release him from custody. Respondents must file a status report within six business days certifying compliance and stating whether the hearing occurred, whether bond was granted or denied, the conditions of any bond, or the reasons for denial.

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)
- Antelex 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)

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