

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, NORTHERN DIVISION AT COVINGTON

Sergio Alfonzo Ramirez v. Jason Maydak, et al.

Sergio Alfonzo Ramirez v. Jason Maydak et al., Civil Action No. 25-233-DLB (E.D. Ky. Feb. 2, 2026) · No.
Civil Action No. 25-233-DLB · Decided February 2, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky grants Sergio Alfonzo Ramirez’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that 8 U.S.C. § 1225(b) (2), which mandates detention of certain applicants for admission, does not apply to Ramirez, a longtime resident who was not arriving in or actively seeking admission to the United States. The court concludes that Ramirez’s detention is governed by 8 U.S.C. § 1226(a), entitling him to request a bond hearing before an immigration judge.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Northern Division at Covington
WRITING FOR THE COURT	David L. Bunning
JURISDICTION	United States District Court for the Eastern District of Kentucky, Northern Division at Covington
DECIDED	February 2, 2026
DOCKET	Civil Action No. 25-233-DLB
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention without a bond hearing.
STANDARD OF REVIEW	The court reviewed the § 2241 habeas petition and resolved the statutory interpretation issue by applying the ordinary meaning, statutory context, titles and headings, legislative history, enforcement history, and the canon against surplusage. The due-process claim was evaluated under the three-factor balancing test of Mathews v. Eldridge.
PRECEDENTIAL VALUE	Nonprecedential district court decision
PARTIES	Sergio Alfonzo Ramirez v. Jason Maydak, Samuel Olson, Todd Lyons, Kristi Noem, Pamela Bondi

TOPICS

immigration detention

removal proceedings

statutory interpretation

procedural due process

due process

PRACTICE AREAS

Immigration law

Federal habeas corpus

Constitutional law

QUESTIONS PRESENTED

1. Whether Ramirez's immigration detention was governed by the mandatory-detention provision of 8 U.S.C. § 1225(b)(2)(A) or the discretionary detention provision of § 1226(a).
2. Whether a noncitizen who entered the United States without inspection nearly twenty years earlier is an arriving alien or is actively seeking admission for purposes of § 1225(b)(2)(A).
3. Whether detention without an individualized bond hearing violated Ramirez's rights under the Fifth Amendment Due Process Clause.
4. Whether the entry-fiction doctrine deprived Ramirez of ordinary due-process protections.

HOLDINGS

1. Section 1226(a), rather than § 1225(b)(2)(A), governs the detention of Ramirez because he had entered and lived in the United States for nearly twenty years and was detained while already present in the country pending removal proceedings.
2. A noncitizen who entered the United States without inspection nearly twenty years earlier and is residing in the country is not necessarily 'seeking admission' merely because the person has not been lawfully admitted.
3. The entry-fiction doctrine did not apply to Ramirez because he was not stopped at the border, was not apprehended shortly after an unlawful entry, and was never paroled into the United States.
4. Ramirez's detention without an individualized bond hearing violated the Fifth Amendment Due Process Clause, and he was entitled to an individualized custody determination under § 1226(a).

KEY QUOTATIONS

“Because Ramirez is neither an “arriving alien” nor “seeking admission” into the United States, the mandatory detention provisions contained § 1225(b)(2) do not apply to him.” (Section III.B)

“Therefore, the Court finds that Ramirez is not subject to § 1225(b)(2)(A). Rather, the facts of the case make clear that his detention is governed by § 1226(a).” (Section III.B)

“Accordingly, all three factors weigh in favor of Ramirez. As other courts have concluded, Ramirez’s detention without a bond hearing violates the due process rights afforded to him by the Fifth Amendment and he is therefore entitled to an individualized custody determination.” (Section III.C.2)

FACTUAL BACKGROUND

Ramirez, a native and citizen of Mexico, entered the United States without inspection in November 2006 and remained there for nearly twenty years. After a 2025 Kentucky traffic arrest and a subsequent bench warrant, he was transferred to ICE custody on December 4, 2025, and DHS served him with a Notice to Appear the next day. He remained detained without bond or a bond hearing, and the Notice to Appear identified him as present in the United States without admission or parole rather than as an arriving alien.

PROCEDURAL HISTORY

Ramirez filed a § 2241 habeas petition challenging his detention by Immigration and Customs Enforcement and seeking immediate release or, alternatively, a bond hearing before an immigration judge. Respondents filed responses, and Ramirez did not file a reply. The district court granted the petition and ordered immediate release or a bond hearing under 8 U.S.C. § 1226(a) within seven days.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents were ordered to immediately release Ramirez or, alternatively, provide him with a bond hearing under 8 U.S.C. § 1226(a) within seven days. Respondents were also ordered to file a status report by February 16, 2026 certifying compliance and stating the result and reasons for any bond denial.

CASES CITED

- *Munaf v. Geren*, 553 U.S. 674 (2008)
- *Hamdi v. Rumsfeld*, 542 U.S. 507 (2004)
- *Rasul v. Bush*, 542 U.S. 466 (2004)
- *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369 (2024)
- *Jennings v. Rodriguez*, 583 U.S. 281 (2018)
- *Castañon-Nava v. U.S. Department of Homeland Security*, 161 F.4th 1048 (7th Cir. 2025)
- *Sanchez v. Mayorkas*, 593 U.S. 409 (2021)
- *Department of Homeland Security v. Thuraissigiam*, 591 U.S. 103 (2020)
- *Zadvydas v. Davis*, 533 U.S. 678 (2001)
- *Mathews v. Eldridge*, 424 U.S. 319 (1976)
- *Stone v. I.N.S.*, 514 U.S. 386 (1995)
- *Marx v. General Revenue Corp.*, 568 U.S. 371 (2013)
- *Department of Homeland Security v. Regents of the University of California*, 591 U.S. 1 (2020)
- *Leng May Ma v. Barber*, 357 U.S. 185 (1958)
- *Nishimura Ekiu v. United States*, 142 U.S. 651 (1892)
- *Foucha v. Louisiana*, 504 U.S. 71 (1992)
- *Yamataya v. Fisher*, 189 U.S. 86 (1903)

