

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

Rigoberto Ruiz-Rebollo v. Kevin Raycraft et al.

Ruiz-Rebollo · No. 1:25-cv-1769 · Decided December 26, 2025

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Rigoberto Ruiz-Rebollo’s 28 U.S.C. § 2241 habeas petition challenging his immigration detention. The court held that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in § 1225(b)(2)(A), governs his detention and concluded that his detention violated the Fifth Amendment’s Due Process Clause. Respondents were ordered to provide a bond hearing within five business days or release him, and certain respondents were dismissed.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Paul L. Maloney
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	December 26, 2025
DOCKET	1:25-cv-1769
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner, an ICE detainee, filed a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the statutory basis and constitutionality of his detention and seeking release or a bond hearing. After ordering Respondents to show cause and receiving their response and Petitioner's reply, the district court conditionally granted the petition.
STANDARD OF REVIEW	The court considered a habeas challenge under 28 U.S.C. § 2241 and addressed prudential exhaustion and the legality and constitutionality of Petitioner's immigration detention.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Rigoberto Ruiz-Rebollo v. Kevin Raycraft et al.

TOPICS

immigration detention

procedural due process

removal proceedings

statutory interpretation

remedies

PRACTICE AREAS

immigration law

habeas corpus

constitutional law

QUESTIONS PRESENTED

1. Whether the court should enforce prudential exhaustion based on Petitioner's failure to appeal the bond decision to the Board of Immigration Appeals.
2. Whether 8 U.S.C. § 1226(a) or the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A) governed the detention of a noncitizen who had resided in the United States and was apprehended within the United States.
3. Whether Petitioner's detention under the mandatory-detention framework of § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
4. Whether the Detroit ICE Field Office Director was the only proper Respondent in the habeas action.

HOLDINGS

1. The court declined to enforce prudential exhaustion and alternatively concluded that waiver of exhaustion was appropriate.
2. 8 U.S.C. § 1226(a), rather than 8 U.S.C. § 1225(b)(2)(A), governs noncitizens who have resided in the United States and were already within the United States when apprehended and arrested.
3. Petitioner's continued detention under the mandatory-detention framework of 8 U.S.C. § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
4. The Detroit ICE Field Office Director was not the only proper Respondent; the court retained the Field Office Director and the Secretary of Homeland Security and dismissed the Department of Homeland Security, the Attorney General, and the Executive Office for Immigration Review.

KEY QUOTATIONS

“The Court concludes that § 1226(a), not § 1225(b)(2)(A), governs noncitizens, such as Petitioner, who have resided in the United States and were already within the United States when apprehended and arrested”
(Discussion V.A)

“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)

FACTUAL BACKGROUND

Ruiz-Rebollo, a native and citizen of Mexico, entered the United States without inspection in November 1991 and had lived in the United States with his wife and two adult United States citizen children. He owned a

landscaping company and was arrested by ICE in Illinois on September 16, 2025. ICE issued a Notice to Appear charging inadmissibility under INA §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I), and the Detroit Immigration Court denied his request for a change in custody status as mandatory detention under *Hurtado*.

PROCEDURAL HISTORY

Ruiz-Rebollo initiated the action on December 12, 2025. The Court ordered Respondents to show cause on December 16, Respondents responded on December 19, and Petitioner replied on December 22. The Court declined to enforce prudential exhaustion, alternatively waived exhaustion, held that § 1226(a) governed the detention, concluded that detention under § 1225(b)(2)(A) violated due process, and conditionally granted habeas relief.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner a bond hearing under 8 U.S.C. § 1226(a) within five business days of the opinion and judgment, or immediately release him. Respondents must file a status report within six business days certifying compliance and reporting the outcome and conditions of any bond hearing.

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)