

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

Benancio Mejia Ayala v. Melissa Harper, et al.

Ayala · No. 1:26-cv-204-CLM-GMB · Decided February 23, 2026

SUMMARY

The United States District Court for the Northern District of Alabama addresses Benancio Mejia Ayala’s habeas petition and motion for preliminary injunction seeking a bond hearing before his removal hearing. The court dismisses several respondents for lack of immediate custody, holds that Ayala is subject to detention under 8 U.S.C. § 1225(b)(2) rather than the bond provisions of § 1226(a), and rejects his statutory and due process claims. The court denies the habeas petition on the merits and denies the preliminary-injunction motion as moot.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Eastern Division
WRITING FOR THE COURT	Corey L. Maze
JURISDICTION	United States District Court for the Northern District of Alabama, Eastern Division
DECIDED	February 23, 2026
DOCKET	1:26-cv-204-CLM-GMB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 and a preliminary injunction requiring a bond hearing before his scheduled § 1229a removal hearing. The court consolidated the preliminary-injunction hearing with the habeas proceeding under Federal Rule of Civil Procedure 65(a)(2), dismissed four respondents as improper custodians, denied habeas relief on the merits, and denied the injunction motion as moot.
STANDARD OF REVIEW	The court reviewed the § 2241 claims as legal and statutory challenges to detention and considered whether the undisputed facts established entitlement to habeas relief. It applied de novo statutory interpretation and constitutional analysis.
PRECEDENTIAL VALUE	unpublished district-court opinion

PARTIES

Benancio Mejia Ayala v. Melissa Harper, Todd Lyons, Kristi Noem, Pamela Bondi, Barry Smith

TOPICS

immigration detention

removal proceedings

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(b)(9) deprived the district court of jurisdiction over Ayala's pre-removal-order § 2241 petition.
2. Whether the petition was filed in the proper district and against the proper respondent under 28 U.S.C. §§ 2241 and 2242.
3. Whether 8 U.S.C. § 1225(b)(2), rather than § 1226(a), governed Ayala's detention and precluded a bond hearing.
4. Whether detention without a bond hearing violated Ayala's Fifth Amendment due-process rights.
5. Whether Ayala was entitled to relief based on a class action and related orders issued by the Central District of California.

HOLDINGS

1. A habeas petition may be filed in the district where the petitioner was physically located when the petition was filed, and the court retains jurisdiction even if the government later transfers the petitioner.
2. The proper respondent in a habeas action is the petitioner's immediate physical custodian, not remote supervisory officials or a former facility administrator who no longer has custody.
3. An alien who has not been admitted and who is detained pending a § 1229a removal proceeding is governed by § 1225(b)(2), which does not provide a bond hearing; § 1226(a) does not apply on the undisputed facts.
4. An unadmitted alien treated as an applicant for admission has no Fifth Amendment right to a bond hearing beyond the process Congress provides by statute, and Ayala's detention without a bond hearing did not violate due process.
5. Ayala was not entitled to habeas relief based on the Central District of California's class certification and related orders because those orders did not bind this district court in his individual § 2241 action.

KEY QUOTATIONS

“The rule is simple: Whether an alien makes it 25 yards or 27 years into the United States, if he was not legally admitted into the country, his due process rights extend only as far as Congress dictates by statute.”

“To read § 1225(b)(2)(A) to treat aliens who circumvented the admission process like aliens who were legally admitted—rather than like aliens being encountered at the border—would reopen the “entry loophole” that Congress closed with AEDPA and the ITRIRA.”

FACTUAL BACKGROUND

Ayala, a Mexican citizen, entered the United States without inspection or admission in 1999 and lived there for approximately 27 years. ICE detained him in February 2026 after local officers learned of his unlawful entry, issued a civil immigration warrant, and served him with a notice to appear charging inadmissibility. He was held in Louisiana pending a February 27, 2026, § 1229a removal hearing, where counsel represented that he would seek adjustment or cancellation-related relief under 8 U.S.C. § 1229b(b)(1).

PROCEDURAL HISTORY

Immigration and Customs Enforcement detained Ayala after determining that he was present in the United States without admission. He filed a § 2241 petition and an emergency motion seeking a bond hearing before his removal hearing. The court denied his temporary-restraining-order request, consolidated the preliminary-injunction hearing with the habeas proceeding, and ruled that only the New Orleans ICE Field Office Director was the proper respondent.

DISPOSITION

dismissed

CASES CITED

- Department of Homeland Security v. Thuraissigiam, 591 U.S. 108, 138-40 (2020)
- Jennings v. Rodriguez, 583 U.S. 281, 292-97, 314-26, 355 (2018)
- Madu v. U.S. Attorney General, 470 F.3d 1362, 1367 (11th Cir. 2006)
- Demore v. Kim, 538 U.S. 510, 516-17, 523, 526-27, 533-40 (2003)
- Nielsen v. Preap, 586 U.S. 392, 401-02, 422-27 (2019)
- Johnson v. Guzman Chavez, 594 U.S. 523, 533 n.4, 547-48, 550 (2021)
- Johnson v. Arteaga-Martinez, 596 U.S. 573, 575-85 (2022)
- Rumsfeld v. Padilla, 542 U.S. 426, 435-36, 440-41 (2004)
- Ex parte Endo, 323 U.S. 283, 304-05 (1944)
- Bautista v. Santacruz, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025)
- Bautista v. Santacruz, 2025 WL 3288403, at *1 (C.D. Cal. Nov. 25, 2025)
- Calderon Lopez v. Lyons, 2025 WL 3683918 (N.D. Tex. Dec. 19, 2025)
- Ore Falcon v. Wofford, 2026 WL 171927 (E.D. Cal. Jan. 22, 2026)
- Morales v. Noem, 2026 WL 23607, at *8 (S.D. Fla. Jan. 29, 2026)
- Buenrostro-Mendez v. Bondi, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- Jandres-Ordonez v. Bondi, 2026 WL 274493 (N.D. Tex. Jan. 23, 2026)

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