

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

Yiyun Lin v. Marc Fields, et al.

Civil Action No. 26-75-DLB (E.D. Ky. Mar. 12, 2026) · No. Civil Action No. 26-75-DLB; 2:26-cv-00075 ·
Decided March 12, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky grants Yiyun Lin’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The Court holds that the mandatory detention provisions of 8 U.S.C. § 1225(b)(2)(A) do not apply to Lin, who entered the United States nearly three years earlier and was not an arriving alien or actively seeking admission. The Court concludes that his detention is instead governed by 8 U.S.C. § 1226(a), which permits 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	March 12, 2026
DOCKET	Civil Action No. 26-75-DLB; 2:26-cv-00075
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention.
STANDARD OF REVIEW	The court reviewed the legality of detention under 28 U.S.C. § 2241 and applied ordinary principles of statutory interpretation. For the due- process claim, the court applied the three-factor balancing test from Mathews v. Eldridge.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum opinion; persuasive only outside the case.
PARTIES	Yiyun Lin v. Marc Fields, Samuel Olson

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QUESTIONS PRESENTED

1. Whether Lin's detention was governed by the mandatory-detention provisions of 8 U.S.C. § 1225(b)(2) (A) or the bond-hearing framework of 8 U.S.C. § 1226(a).
2. Whether detention without an individualized bond hearing violated Lin's rights under the Fifth Amendment's Due Process Clause.
3. Whether Lin was entitled to immediate release or, alternatively, an individualized custody determination before an immigration judge.

HOLDINGS

1. Section 1225(b)(2)(A) applies to noncitizens who are arriving in or actively seeking admission to the United States; it does not mandate detention of every noncitizen who is present in the country without having been admitted. Lin, who had entered the country nearly three years earlier and was not arriving or seeking admission, was not subject to § 1225(b)(2)(A).
2. Because Lin's detention was governed by § 1226(a), detention without an individualized bond hearing violated his Fifth Amendment right to due process.

KEY QUOTATIONS

“Because Lin 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.”

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

“As other courts have concluded, Lin’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.”

FACTUAL BACKGROUND

Yiyun Lin, a native and citizen of China, entered the United States without inspection on or about July 16, 2023, and DHS served him with a notice to appear for removal proceedings two days later. Lin remained in the United States and became an asylum applicant with a pending asylum case. When he appeared for a routine ICE check-in on February 3, 2026, ICE arrested him and detained him without bond at the Kenton County Detention Center.

PROCEDURAL HISTORY

Lin, a Chinese national detained by ICE at the Kenton County Detention Center, filed a § 2241 habeas petition seeking immediate release or, alternatively, a bond hearing before an immigration judge. Respondents filed a response, Lin filed a reply, and the matter became ripe for decision. 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 must immediately release Lin or provide him with a bond hearing under 8 U.S.C. § 1226(a) within seven days of the order. Respondents must file a status report by March 27, 2026, certifying when the hearing occurred, whether bond was granted or denied, and, if denied, the reasons for denial.

CASES CITED

- *Munaf v. Geren*, 553 U.S. 674, 693 (2008)
- *Hamdi v. Rumsfeld*, 542 U.S. 507, 525, 531 (2004)
- *Rasul v. Bush*, 542 U.S. 466, 483 (2004)
- *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 386, 400, 412-413 (2024)
- *Walters v. Metropolitan Educational Enterprises, Inc.*, 519 U.S. 202, 207 (1997)
- *Roberts v. Sea-Land Services, Inc.*, 566 U.S. 93, 101 (2012)
- *Dubin v. United States*, 599 U.S. 110, 120-21 (2023)
- *Barrera v. Tindall*, No. 3:25-cv-541-RGJ, 2025 WL 2690565, at *3-*4, *7 (W.D. Ky. Sep. 19, 2025)
- *Lopez-Campos v. Raycraft*, No. 2:25-cv-12486, 2025 WL 2496379, at *5, *7-*8 (E.D. Mich. Aug. 29, 2025)
- *Edahi v. Lewis*, No. 4:25-cv-129-RGJ, 2025 WL 3466682, at *7-*8, *11-*12, *14 (W.D. Ky. Nov. 27, 2025)
- *J.G.O. v. Francis*, No. 25-cv-7233, 2025 WL 3040142, at *3 (S.D.N.Y. Oct. 28, 2025)
- *Maldonado v. Olson*, No. 25-cv-3142, 2025 WL 2374411, at *12 (D. Minn. Aug. 15, 2025)
- *Diaz v. Marinez*, 792 F. Supp. 3d 211, 218 (D. Mass. 2025)
- *Star Athletica, LLC v. Varsity Brands, Inc.*, 580 U.S. 405, 414 (2017)
- *Gustafson v. Alloyed Co., Inc.*, 513 U.S. 561, 585 (1995) (Thomas, J., dissenting)
- *Sanchez v. Mayorkas*, 593 U.S. 409, 415 (2021)
- *Santos Franco v. Raycraft*, No. 2:25-cv-13188, 2025 WL 2977118, at *7 (E.D. Mich. Oct. 21, 2025)
- *Benitez v. Francis*, 795 F. Supp. 3d 475, 488 n.7 (S.D.N.Y. Aug. 13, 2025)
- *Navarrete v. Noem*, No. 4:25-cv-157-DJH, 2025 WL 3298081, at *2 (W.D. Ky. Nov. 26, 2025)
- *Ochoa Ochoa v. Noem*, No. 25-cv-10865, 2025 WL 2938779, at *6 (N.D. Ill. Oct. 16, 2025)
- *Jennings v. Rodriguez*, 583 U.S. 281, 288-289, 298, 303 (2018)
- *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)
- *Leng May Ma v. Barber*, 357 U.S. 185, 187 (1958)

- Stone v. I.N.S., 514 U.S. 386, 397 (1995)
- Marx v. General Revenue Corp., 568 U.S. 371, 386 (2013)
- Mejia Olalde v. Noem et al., No. 1:25-cv-00168-JMD, 2025 WL 3131942, at *2-*3 (E.D. Mo. Nov. 10, 2025)
- Rojas v. Olson, No. 25-cv-1437-bhl, 2025 WL 3033967, at *9 (E.D. Wis. Oct. 30, 2025)
- Buenrostro-Mendez v. Bondi, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- Wright v. Spaulding, 939 F.3d 695, 699 (6th Cir. 2019)
- Department of Homeland Security v. Regents of the University of California, 591 U.S. 1, 22 (2020)
- Mathews v. Eldridge, 424 U.S. 319, 321 (1976)
- Foucha v. Louisiana, 504 U.S. 71, 80 (1992)
- A.A.R.P. v. Trump, 605 U.S. 91, 94 (2025)
- Trump v. J.G.G., 604 U.S. 670, 673 (2025)
- Günaydin v. Trump, No. 25-cv-01151, 2025 WL 1459154, at *10 (D. Minn. May 21, 2025)

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