

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

Anmolpreet Singh v. Samuel Olson, et al.

Civil Action No. 26-88-DLB · No. Civil Action No. 26-88-DLB · Decided April 13, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky grants Anmolpreet Singh’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that Singh, who had entered and resided in the United States before being detained by ICE, is governed by the discretionary detention provisions of 8 U.S.C. § 1226(a), rather than the mandatory detention provisions of § 1225(b)(2)(A). The court concludes that Singh is entitled to due process, including consideration of a bond hearing.

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	April 13, 2026
DOCKET	Civil Action No. 26-88-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 to determine whether Singh was detained in violation of the Constitution or laws of the United States. The statutory questions were reviewed de novo as matters of statutory interpretation, and the court applied the Mathews v. Eldridge balancing test to the due process claim.
PRECEDENTIAL VALUE	Nonprecedential district court memorandum opinion
PARTIES	Anmolpreet Singh v. Samuel Olson, et al.

TOPICS

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QUESTIONS PRESENTED

1. Whether Singh's detention was governed by the mandatory-detention provisions of 8 U.S.C. § 1225(b)(2)(A) or by 8 U.S.C. § 1226(a).
2. Whether detention under § 1226(a) without a bond hearing violated Singh's Fifth Amendment due process rights.
3. Whether Singh was entitled to immediate release or, alternatively, a constitutionally adequate bond hearing at which the government bears the burden of justifying continued detention.

HOLDINGS

1. Section 1225(b)(2)(A) applies to noncitizens who are seeking admission, including arriving noncitizens, while § 1226(a) governs the apprehension and detention of noncitizens already present in the United States and facing removal. Because Singh had entered the United States, had lived there for more than two years, and was not actively seeking admission, his detention was governed by § 1226(a), not § 1225(b)(2)(A).
2. Singh's detention without a bond hearing violated the Due Process Clause of the Fifth Amendment.
3. The petition for a writ of habeas corpus was granted, and Respondents were ordered either to release Singh immediately or provide a constitutionally adequate bond hearing under § 1226(a) within seven days.

KEY QUOTATIONS

“Because Petitioner 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 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).” (Section III.B)

“As other courts have concluded, Petitioner’s detention without a bond hearing violates the due process rights afforded to him by the Fifth Amendment and he is therefore entitled to constitutionally adequate bond hearing in which the government bears the burden.” (Section III.C)

FACTUAL BACKGROUND

Singh, a native and citizen of India, entered the United States without inspection near Lukeville, Arizona, in December 2023. DHS served him with a notice to appear for removal proceedings, and he was later released and lived in Illinois. ICE detained him during a February 5, 2026, check-in appointment pursuant to an arrest warrant, and he remained detained without bond at the Campbell County Jail in Kentucky.

PROCEDURAL HISTORY

Singh was detained by ICE on February 5, 2026, while removal proceedings were pending. He filed a § 2241 habeas petition on February 24, 2026, seeking immediate release. Respondents filed a response, Singh filed a reply, and the district court granted the petition.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must immediately release Singh or provide him with a constitutionally adequate bond hearing under 8 U.S.C. § 1226(a) within seven days of the order. Respondents must file a status report by April 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 Enters. v. Raimondo*, 603 U.S. 369, 386, 400, 412-13 (2024)
- *Walters v. Metro Edu. Enters., Inc.*, 519 U.S. 202, 207 (1997)
- *Roberts v. Sea-Land Servs., Inc.*, 566 U.S. 93, 101 (2012)
- *Barrera v. Tindall*, 2025 WL 2690565, at *3-*4, *7 (W.D. Ky. Sept. 19, 2025)
- *Lopez-Campos v. Raycraft*, 2025 WL 2496379, at *5, *7-*8 (E.D. Mich. Aug. 29, 2025)
- *Dubin v. United States*, 599 U.S. 110, 120-21 (2023)
- *Edahi v. Lewis*, 2025 WL 3466682, at *7-*8, *14 (W.D. Ky. Nov. 27, 2025)
- *J.G.O. v. Francis*, 2025 WL 3040142, at *3 (S.D.N.Y. Oct. 28, 2025)
- *Maldonado v. Olson*, 2025 WL 2374411, at *12 (D. Minn. Aug. 15, 2025)
- *Diaz v. Martinez*, 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)
- *Ochoa Ochoa v. Noem*, 2025 WL 2938779, at *6 (N.D. Ill. Oct. 16, 2025)
- *Castañon-Nava v. U.S. Dep't of Homeland Sec.*, 161 F.4th 1048, 1061-62 (7th Cir. 2025)
- *Sanchez v. Mayorkas*, 593 U.S. 409, 415 (2021)
- *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)
- *Leng May Ma v. Barber*, 357 U.S. 185, 187 (1958)
- *Dep't of Homeland Sec. v. Regents of the Univ. of Cal.*, 591 U.S. 1, 22 (2020)
- *Stone v. I.N.S.*, 514 U.S. 386, 397 (1995)
- *Marx v. Gen. Revenue Corp.*, 568 U.S. 371, 386 (2013)

- Buenrostro-Mendez v. Bondi, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- Avila v. Bondi, 2026 WL 819258 (8th Cir. Mar. 25, 2026)
- Wright v. Spaulding, 939 F.3d 695, 699 (6th Cir. 2019)
- Jennings v. Rodriguez, 583 U.S. 281, 288, 298, 303 (2018)
- Abramski v. United States, 573 U.S. 169, 202-03 (2014) (Scalia, J., dissenting)
- A.A.R.P. v. Trump, 605 U.S. 91, 94 (2025)
- Foucha v. Louisiana, 504 U.S. 71, 80 (1992)
- Hernandez-Lara v. Lyons, 10 F.4th 19, 39 (1st Cir. 2021)
- Velasco Lopez v. Decker, 978 F.3d 842, 846 (2d Cir. 2020)
- Rajesh v. Barr, 420 F. Supp. 3d 78, 87-88 (W.D.N.Y. 2019)
- Addington v. Texas, 441 U.S. 418, 427 (1979)