

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Sara Luciola Villa Hernandez v. Michael Kunes, Warden of Clinton
County Correctional Facility, et al.

Hernandez · No. 1:25-CV-01847 · Decided February 13, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania grants Sara Luciola Villa Hernandez’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that her detention under 8 U.S.C. § 1225(b)(2)(A) was unlawful because she was not actively seeking admission to the United States, and that mandatory detention without a bond hearing violated procedural due process. The court orders her immediate release and permits her to seek attorney’s fees and costs under the Equal Access to Justice Act.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Jennifer P. Wilson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	February 13, 2026
DOCKET	1:25-CV-01847
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 evaluated its jurisdiction under 28 U.S.C. § 2241 and reviewed the statutory detention framework de novo. It applied the Mathews v. Eldridge balancing test to determine the procedural process due before continued detention.
PRECEDENTIAL VALUE	unpublished district court memorandum; persuasive, nonprecedential authority
PARTIES	Sara Luciola Villa Hernandez v. Michael Kunes, Warden of Clinton County Correctional Facility, Jason Kormanic, Warden of Clinton County Correctional Facility, Todd M. Lyons, Acting Director of ICE,

TOPICS

immigration detention procedural due process statutory interpretation subject matter jurisdiction remedies

PRACTICE AREAS

immigration detention habeas corpus constitutional law statutory interpretation civil procedure

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction under 28 U.S.C. § 2241 notwithstanding 8 U.S.C. §§ 1252(g), 1252(b)(9), and 1252(a)(2)(B)(ii).
2. Whether Hernandez was required to exhaust administrative remedies before seeking § 2241 habeas relief.
3. Whether 8 U.S.C. § 1225(b)(2)(A) authorized mandatory detention of a noncitizen who had previously entered and resided in the United States and was not currently affirmatively seeking admission.
4. Whether mandatory detention under § 1225(b)(2)(A) without a bond hearing violated Hernandez's procedural due process rights.
5. Whether Hernandez could seek attorney fees and costs under the Equal Access to Justice Act for the § 2241 immigration-detention action.

HOLDINGS

1. The district court had jurisdiction to consider Hernandez's § 2241 challenge because she challenged the legality of her detention, not the commencement, adjudication, or execution of removal proceedings, and her detention claim was independent of and wholly collateral to review of the removal process.
2. Hernandez was not required to exhaust administrative remedies before pursuing her § 2241 petition because exhaustion is judicially created and would have been futile in light of *Matter of Yajure Hurtado*.
3. Section 1225(b)(2)(A) applies only to noncitizens who are affirmatively and presently seeking admission to the United States; it does not authorize mandatory detention of a noncitizen who previously entered and has been residing in the United States but is not currently seeking admission.
4. Hernandez's mandatory detention without a bond hearing violated procedural due process.
5. Hernandez may file a motion for attorney fees and costs under the Equal Access to Justice Act within thirty days after entry of judgment because a § 2241 petition concerning immigration detention is a civil action under the EAJA.

KEY QUOTATIONS

“Hernandez’s detention under § 1225(b)(2)(A) is unlawful because Section 1225(b)(2)(A) “applies only to noncitizens who are actively, i.e., affirmatively, ‘seeking admission’ to the United States.”” (Discussion.C)

“For these reasons, the court will grant Hernandez’s petition for writ of habeas corpus and order her immediate release.” (Conclusion)

FACTUAL BACKGROUND

Hernandez, a Colombian citizen, entered the United States on January 19, 2024, was issued a notice to appear, and was released on her own recognizance. After she was stopped as a passenger in a vehicle in August 2025, ICE detained her pending removal proceedings. Her bond request was denied under the BIA's Matter of Yajure Hurtado decision, and she remained detained at the Clinton County Correctional Facility without a bond hearing.

PROCEDURAL HISTORY

Hernandez was detained by Immigration and Customs Enforcement after previously entering the United States and being released on her own recognizance. An immigration judge denied her bond request under Matter of Yajure Hurtado and later ordered her removed; her appeal of the removal order was pending before the Board of Immigration Appeals. Hernandez filed this § 2241 petition seeking immediate release or a bond hearing. The district court rejected the jurisdictional and exhaustion objections, held that detention under 8 U.S.C. § 1225(b) (2)(A) was unlawful and violated procedural due process, ordered her immediate release, and permitted her to seek EAJA fees and costs.

DISPOSITION

writ_granted

CASES CITED

- Trump v. J.G.G., 604 U.S. 670, 672 (2025)
- Nance v. Ward, 597 U.S. 167 (2022)
- Rumsfeld v. Padilla, 542 U.S. 426, 443, 447 (2004)
- Jennings v. Rodriguez, 583 U.S. 281, 288, 294 (2018)
- Reno v. American-Arab Anti-Discrimination Committee, 525 U.S. 471, 482-83 (1999)
- E.O.H.C. v. Secretary, U.S. Department of Homeland Security, 950 F.3d 177, 186 (3d Cir. 2020)
- Aguilar v. U.S. Immigration & Customs Enforcement Division of Department of Homeland Security, 510 F.3d 1, 11 (1st Cir. 2007)
- Zadvydas v. Davis, 533 U.S. 678, 688, 690, 693 (2001)
- Moscato v. Federal Bureau of Prisons, 98 F.3d 757 (3d Cir. 1996)
- McCarthy v. Madigan, 503 U.S. 140, 144 (1992)
- Matter of Yajure Hurtado, 29 I. & N. Dec. 2016 (Sept. 5, 2025)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- Hamdi v. Rumsfeld, 542 U.S. 507, 529 (2004)
- United States ex rel. Polansky v. Executive Health Resources, Inc., 599 U.S. 419, 432 (2023)
- Michelin v. Warden Moshannon Valley Correctional Center, 2026 WL 263483 (3d Cir. Feb. 2, 2026)

- Bethancourt Soto v. Soto, No. 25-cv-16200, 2025 WL 2976572 (D.N.J. Oct. 22, 2025)
- Patel v. O’Neil, No. 3:25-cv-2185, 2025 WL 3516865 (M.D. Pa. Dec. 8, 2025)
- Quispe v. Rose, No. 3:25-cv-2276, 2025 WL 3537279 (M.D. Pa. Dec. 10, 2025)
- Demirel v. Federal Detention Center Philadelphia, No. 25-cv-5488, 2025 WL 3218243 (E.D. Pa. Nov. 18, 2025)
- Santana-Rivas v. Warden of Clinton County Correctional Facility, No. 3:25-cv-1896, 2025 WL 3513152 (M.D. Pa. Dec. 8, 2025)
- Centeno Ibarra v. Warden of Federal Detention Center Philadelphia, No. 25-cv-6312, 2025 WL 3294726 (E.D. Pa. Nov. 25, 2025)
- Ayala Amaya v. Bondi, No. 25-16429, 2025 WL 3033880, at *2 (D.N.J. Oct. 30, 2025)
- Buenrostro-Mendez v. Bondi, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)

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