

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

Javokhir Islomov v. Jim Arnott, et al.

Case No. 6:26-cv-3115-MDH (W.D. Mo. Mar. 4, 2026) · No. 6:26-cv-3115-MDH · Decided March 4, 2026

SUMMARY

The United States District Court for the Western District of Missouri grants Javokhir Islomov’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that the petitioner’s parole was revoked and detention imposed without constitutionally adequate notice, a hearing, or individualized justification, and orders his immediate release. The court also enjoins respondents from relocating him outside the court’s jurisdiction before complying with the order and permits an application for attorneys’ fees under the EAJA.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri, Southern Division
WRITING FOR THE COURT	Douglas Harpool
JURISDICTION	United States District Court for the Western District of Missouri, Southern Division
DECIDED	March 4, 2026
DOCKET	6:26-cv-3115-MDH
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and the termination of parole without prior written notice.
STANDARD OF REVIEW	The court reviewed the habeas petition and statutory jurisdictional issues de novo in substance. For the requested temporary restraining order, it applied the Dataphase four-factor test.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Javokhir Islomov v. Jim Arnott, Assistant Director of ICE Kansas City, Secretary of Homeland Security, Attorney General of the United States

TOPICS

immigration detention

procedural due process

due process

subject matter jurisdiction

injunctions

PRACTICE AREAS

immigration detention

habeas corpus

constitutional law

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether 8 U.S.C. §§ 1252(e)(3), 1252(g), or 1252(b)(9) deprived the district court of jurisdiction over Islomov's § 2241 challenge to his detention.
2. Whether terminating Islomov's parole and detaining him without prior written notice, a sufficient change in circumstances, or individualized legal justification violated procedural due process.
3. Whether the court should issue temporary injunctive relief prohibiting respondents from relocating Islomov outside the district before complying with the order.
4. Whether Islomov could pursue attorney fees and costs under the Equal Access to Justice Act.

HOLDINGS

1. The court had jurisdiction under § 2241 because Islomov challenged the lawfulness of his detention, not a statute, regulation, written policy, removal order, or removal process subject to the cited jurisdiction-stripping provisions.
2. The government violated Islomov's procedural due process rights by revoking his parole and detaining him without prior written notice, a sufficient change in circumstances, or individualized legal justification for the detention.
3. A temporary restraining order was appropriate to prevent respondents from relocating Islomov outside the district before complying with the habeas order.
4. Islomov may pursue reasonable attorney fees and costs under the EAJA by submitting an application within thirty days of final judgment, subject to the statute's eligibility requirements.

KEY QUOTATIONS

“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the [Due Process] Clause protects.”

“The essence of due process is the requirement that ‘a person in jeopardy of a serious loss [be given] notice of the case against him and the opportunity to meet it.’”

“The opportunity to be heard must be meaningful, that is, an opportunity granted at a meaningful time and in a meaningful manner.”

FACTUAL BACKGROUND

Islomov entered the United States without authorization nearly four years before the order, had a pending asylum application, and possessed work authorization valid through 2030. He had been paroled and lived with his spouse in Philadelphia while removal proceedings were pending. DHS apprehended him on February 20, 2026,

while he was driving a work truck in Indiana, terminated his parole without prior written notice, and detained him in the Greene County Jail in Springfield, Missouri. The court found no evidence of a material change in circumstances, flight risk, or individualized legal justification for the detention.

PROCEDURAL HISTORY

Islomov filed a verified § 2241 habeas petition after DHS apprehended and detained him while his asylum application and work authorization remained pending and valid. Respondents argued that statutory restrictions on judicial review deprived the district court of jurisdiction. The court rejected that argument, granted the habeas petition, ordered immediate release, and enjoined relocation outside the district before compliance with the order.

DISPOSITION

writ_granted

CASES CITED

- Munoz Materano v. Arteta, 2025 WL 2630826 (S.D.N.Y. Sept. 12, 2025)
- Buenrostro-Mendez v. Bondi, Case No. 25-20496 (5th Cir. Feb. 6, 2026)
- Mata Velasquez v. Kurzdorfer, No. 25-CV-493-LJV, 2025 U.S. Dist. LEXIS 135986, 2025 WL 1953796, at *7 (W.D.N.Y. July 16, 2025)
- Hernandez-Cuevas v. Olson, No. 4:25-cv-00830-BP, at 3 (W.D. Mo. Nov. 5, 2025)
- Cifuentes Rivera v. Arnott, et al., 25-cv-00570-RK1, Doc. 19 at 7 (W.D. Mo. Oct. 7, 2025)
- Sanchez v. LaRose, 2025 U.S. Dist. LEXIS 190593, at *6-9
- Miranda v. City of Casa Grande, 15 F.4th 1219, 1225 (9th Cir. 2021)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)
- Hernandez v. Sessions, 872 F.3d 976, 981
- Alegria Palma v. LaRose, 25-cv-1942, ECF No. 14 (S.D. Cal. Aug. 11, 2025)
- Mathews v. Eldridge, 424 U.S. 319, 348 (1976)
- Joint Anti-Fascist Comm. v. McGrath, 341 U.S. 123, 171-72 (1951) (Frankfurter, J., concurring)
- Ying Fong v. Ashcroft, 317 F. Supp. 2d 398, 403 (S.D.N.Y. 2004)
- Mohammed H. v. Trump, No. 25-1576 (JWB/DTS), 2025 U.S. Dist. LEXIS 117197, 2025 WL 1692739, at *5 (D. Minn. June 17, 2025)
- Matter of Sugay, 17 I. & N. Dec. 637, 640 (BIA 1981)
- Ortega v. Bonnar, 415 F. Supp. 3d 963, 968 (N.D. Cal. 2019)
- Dataphase Sys., Inc. v. C L Sys., Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc)
- Calvin Klein Cosmetics Corp. v. Lenox Labs., Inc., 815 F.2d 500, 503 (8th Cir. 1987)
- Commissioner, I.N.S. v. Jean, 496 U.S. 154, 163 (1990)
- Boudin v. Thomas, 732 F.2d 1107, 1114 (2d Cir. 1984)

