

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

Melvin Javier Cruz Ramos v. Kevin Raycraft et al.

Cruz Ramos v. Raycraft · No. 1:25-cv-1712 · Decided December 19, 2025

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Melvin Javier Cruz Ramos’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in § 1225(b)(2)(A), governed his detention and that his detention violated the Fifth Amendment’s Due Process Clause. The court ordered a bond hearing within five business days or, alternatively, his release, and dismissed several respondents while retaining the ICE Detroit Field Office Director and the Secretary of Homeland Security.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Jane M. Beckering
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	December 19, 2025
DOCKET	1:25-cv-1712
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging his immigration detention and requesting release or a constitutionally adequate bond hearing. After ordering Respondents to show cause, the court conditionally granted the petition and ordered a bond hearing or immediate release.
STANDARD OF REVIEW	The court reviewed the legality of Petitioner’s detention under 28 U.S.C. § 2241 and considered whether prudential exhaustion should be required or waived. The opinion does not state a separate formal standard of review.
PRECEDENTIAL VALUE	unpublished district court opinion

PARTIES

Melvin Javier Cruz Ramos v. Kevin Raycraft et al.

TOPICS

immigration detention

procedural due process

statutory interpretation

removal proceedings

civil procedure

PRACTICE AREAS

immigration law

federal habeas corpus

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether prudential exhaustion of administrative remedies should be required before the court considers Petitioner’s § 2241 challenge to his immigration detention.
2. Whether 8 U.S.C. § 1226(a) or the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A) governs the detention of a noncitizen who resided in the United States and was apprehended within the country.
3. Whether Petitioner’s detention without a bond hearing under § 1225(b)(2)(A) violates the Fifth Amendment Due Process Clause.
4. Which officials and entities are proper Respondents in a habeas action challenging immigration detention.

HOLDINGS

1. The court declined to enforce prudential exhaustion against Petitioner and held in the alternative that waiver of exhaustion was appropriate.
2. Section 1226(a), not 8 U.S.C. § 1225(b)(2)(A), governs the detention of noncitizens who have resided in the United States and were already within the country when apprehended and arrested.
3. Petitioner’s current detention under the mandatory-detention framework of § 1225(b)(2)(A) violates the Fifth Amendment Due Process Clause.
4. The ICE Detroit Field Office Director and the Secretary of the Department of Homeland Security were proper Respondents, while the United States Department of Homeland Security, the United States Attorney General, the Executive Office of Immigration Review, and the Warden of North Lake Processing Center were dismissed as Respondents.

KEY QUOTATIONS

“The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court’s Opinion and Judgment or, in the alternative, immediately release Petitioner from custody.” (Conclusion)

FACTUAL BACKGROUND

Petitioner, a Honduran citizen, entered the United States without inspection in 2016 as an unaccompanied minor and was placed in removal proceedings, which an immigration judge later terminated without prejudice. ICE arrested him in October 2025 and detained him without providing a bond hearing after issuing a Notice to Appear charging inadmissibility under INA §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I). Before his detention, Petitioner lived in Chicago with his partner and their one-year-old United States citizen child.

PROCEDURAL HISTORY

Cruz Ramos filed a counseled § 2241 petition on December 3, 2025. The court ordered Respondents to show cause, Respondents filed a response, and Petitioner filed a reply. The court declined to enforce prudential exhaustion, reached the merits, conditionally granted habeas relief, retained the ICE Detroit Field Office Director and the Secretary of Homeland Security as Respondents, and dismissed the other named Respondents.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the Opinion and Judgment or immediately release him. Respondents must file a status report within six business days certifying compliance and stating whether the hearing occurred, whether bond was granted or denied, the bond conditions if granted, and the reasons for denial if denied.

CASES CITED

- Hamdi v. Rumsfeld, 542 U.S. 507, 525 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 687 (2001)
- A. A. R. P. v. Trump, 145 S. Ct. 1364, 1367 (2025)
- Antelex Cobix v. Raycraft, No. 1:25-cv-1669, 2025 WL 3562651 (W.D. Mich. Dec. 12, 2025)
- Candela Bastidas v. Noem, No. 1:25-cv-1528, 2025 WL 3562638 (W.D. Mich. Dec. 12, 2025)
- Acuna Sanchez v. Noem, No. 1:25-cv-1442, 2025 WL 3562577 (W.D. Mich. Dec. 12, 2025)
- Penagos Robles v. U.S. Dep't of Homeland Sec., No. 1:25-cv-1578, 2025 WL 3558128 (W.D. Mich. Dec. 12, 2025)

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION _____ MELVIN JAVIER CRUZ RAMOS, Petitioner, Case No. 1:25-cv-1712 v. Honorable Jane M. Beckering KEVIN RAYCRAFT et al., Respondents. _____/ OPINION Petitioner, a United States Immigration and Customs Enforcement (ICE) detainee currently detained at the North Lake Processing Center located in Baldwin, Lake County, Michigan, initiated this action on December 3, 2025, by filing a counseled petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

(Pet., ECF No. 1.) For the following reasons, the Court will conditionally grant Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Discussion I. Procedural History In Petitioner's § 2241 petition, Petitioner challenges the lawfulness of his current detention and asks the Court to, inter alia, declare that Respondents' actions to detain Petitioner violate the Due Process Clause of the Fifth Amendment and the Immigration and Nationality Act (INA), and issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241 either ordering Respondents to release Petitioner or ordering Respondents to conduct a bond hearing to satisfy the requirements of due process.

(Pet., ECF No. 1, PageID.33.) In an Order entered on December 11, 2025, the Court directed Respondents to show cause, within three business days, why the writ of habeas corpus and other relief requested by Petitioner should not be granted. (Order, ECF No. 6.) Respondents filed their response on December 12, 2025, (ECF No. 7.), and Petitioner filed his reply on December 17, 2025, (ECF No. 8).

II. Factual Background Petitioner is a citizen of Honduras. (Pet., ECF No. 1, PageID.10.) In August 2016, he entered the United States as an unaccompanied minor without inspection. (Id., PageID.5, 10.) He was initially detained upon entry into the United States and was placed in removal proceedings. (Id., PageID.16.)

However, Petitioner was subsequently released to the custody of his brother. (Id.) On July 16, 2024, an immigration judge terminated Petitioner's removal proceedings without prejudice. (Id.) On October 19 or 20, 2025, ICE agents encountered and arrested Petitioner. (Pet., ECF No. 1, PageID.16; Notice to EOIR, ECF No. 7-1, PageID.109.)

The Department of Homeland Security issued Petitioner a Notice to Appear (NTA), charging Petitioner with inadmissibility under §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (INA) because Petitioner is an immigrant "present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General," and "who, at the time of application for admission, is not in possession of a valid unexpired [immigration or travel document]." (NTA, ECF No. 7-1, PageID.113.)

Petitioner has not been provided with a bond hearing. (Pet., ECF No. 1, PageID.17.) He is scheduled to appear for a master hearing on January 6, 2026. (Notice of Internet-Based Hearing, ECF No. 7-2, PageID.119.) Prior to his detention, Petitioner lived in Chicago, Illinois, with his partner and their one- year-old United States citizen child. (Pet., ECF No. 1, PageID.16.)

III. Habeas Corpus Legal Standard The Constitution guarantees that the writ of habeas corpus is "available to every individual detained within the United States." *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004) (citing U.S. Const., Art I, § 9, cl. 2). Section 2241 of Title 28 confers the federal

courts with the power to issue writs of habeas corpus to persons “in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241.

This includes challenges by non-citizens in immigration- related matters. See *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001); see also *A. A. R. P. v. Trump*, 145 S. Ct. 1364, 1367 (2025). IV. Exhaustion Respondents argue that the Court should deny Petitioner’s request for habeas corpus relief because Petitioner has not exhausted his administrative remedies. Specifically, Respondents argue that Petitioner should pursue a bond hearing and, if necessary, appeal any unfavorable decision to the Board of Immigration Appeals (BIA).

The Court declines to enforce the doctrine of prudential exhaustion against Petitioner, and even if the Court were to conclude that exhaustion is warranted, the Court concludes in the alternative that waiver of exhaustion is appropriate, for the reasons set forth in the Court’s exhaustion analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *2–3 (W.D.

Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv- 1528, 2025 WL 3562638, at *2–4 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25- cv-1442, 2025 WL 3562577, at *2–4 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep’t of Homeland Sec.*, No. 1:25-cv-1578, 2025 WL 3558128, at *2–3 (W.D. Mich. Dec. 12, 2025).

Accordingly, the Court will proceed to address the merits of Petitioner’s § 2241 petition. V. Merits Discussion A. Statutory Basis for Petitioner’s Detention Petitioner contends that Respondents have violated the INA by concluding that Petitioner is detained pursuant to the mandatory detention provisions set forth in 8 U.S.C. § 1225(b)(2). Respondents, however, contend that Petitioner meets every element for detention under § 1225(b)(2), and that the statute’s structure and history support Respondents’ interpretation.

The Court concludes that § 1226(a), not § 1225(b)(2)(A), governs noncitizens, such as Petitioner, who have resided in the United States and were already within the United States when apprehended and arrested for the reasons set forth in the Court’s statutory analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *3–6 (W.D.

Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *4–6 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *4–7 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep’t of Homeland Sec.*, No. 1:25- cv-1578, 2025 WL 3558128, at *3–6 (W.D. Mich. Dec. 12, 2025). B. Fifth Amendment Due Process Considerations Petitioner also argues that his detention violates the Fifth Amendment’s Due Process Clause.

Respondents counter Petitioner’s arguments by stating that Petitioner has received notice of the charges against him, has access to counsel, is scheduled to attend hearings with an immigration

judge, has the right to appeal the denial of any request for bond, and has been detained by ICE for only a short period time.

The Court concludes that Petitioner's current detention under the mandatory detention framework set forth in § 1225(b)(2)(A) violates Petitioner's Fifth Amendment due process rights for the reasons set forth in the Court's constitutional analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *6–8 (W.D. Mich. Dec.

12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *7–8 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *7–9 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep't of Homeland Sec.*, No. 1:25-cv-1578, 2025 WL 3558128, at *6–8 (W.D. Mich. Dec. 12, 2025). VI. Other Claims and Other Forms of Relief Because the Court will conditionally grant Petitioner's § 2241 petition as set forth herein, the Court does not address other claims and other requested relief in Petitioner's § 2241 petition.

VII. Proper Respondents Respondents argue that the Detroit ICE Field Office Director is the only proper Respondent in this action, and they seek the dismissal of all of the other named Respondents. The Court concludes that the ICE Detroit Field Office Director is not the only proper Respondent for the reasons set forth in the Court's analysis of the same argument in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *8–9 (W.D.

Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *8–9 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *9–10 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep't of Homeland Sec.*, No. 1:25-cv-1578, 2025 WL 3558128, at *9–10 (W.D. Mich. Dec. 12, 2025).

To ensure that this Court's orders regarding a hearing or release will bind at least one Respondent with authority to act in the event that Petitioner is transferred out of the Western District of Michigan, the Court will retain the ICE Detroit Field Office Director and the Secretary for the Department of Homeland Security as Respondents.

The Court will dismiss the United States Department of Homeland Security, the United States Attorney General, the Executive Office of Immigration Review, and the Warden of North Lake Processing Center as Respondents. Conclusion For the reasons discussed above, the Court will enter a Judgment conditionally granting Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.

(ECF No. 1.) The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court's Opinion and Judgment or, in the alternative, immediately release Petitioner from custody.¹ The Court will also order Respondents to file a status report within six business days of the date of this Court's Opinion and Judgment to certify compliance with this Opinion and the corresponding Judgment.

The status report shall include if and when the bond hearing occurred, if bond was granted or denied, and if bond was granted, the conditions of the bond, or if bond was denied, the reasons for the denial. Further, the Court will dismiss the United States Department of Homeland Security, the United States Attorney General, the Executive Office of Immigration Review, and the Warden of North Lake Processing Center as Respondents.

Dated: December 19, 2025 /s/ Jane M. Beckering Jane M. Beckering United States District Judge
1 This Court has adopted a standard practice of requiring such a hearing within five business days, even if the Petitioner requests a deadline that is shorter or longer.