

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE

Urrutia-Diaz v. Ladwig

No. 2:25-cv-03098-TLP-atc, 2025 WL [citation not provided] (W.D. Tenn. Dec. 19, 2025) · No. 2:25-cv-03098-TLP-atc · Decided December 19, 2025

SUMMARY

The United States District Court for the Western District of Tennessee grants in part a habeas petition filed by Marlon Geovanny Urrutia-Diaz, an immigration detainee. The court holds that 8 U.S.C. § 1226(a), rather than § 1225(b)(2)(A), governs his detention because he was apprehended in the interior of the United States after residing there, and therefore he is entitled to the discretionary bond process under § 1226. The court also declines to require exhaustion of administrative remedies, finding exhaustion futile in light of binding agency precedent.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee
WRITING FOR THE COURT	Thomas L. Parker
JURISDICTION	United States District Court for the Western District of Tennessee
DECIDED	December 19, 2025
DOCKET	2:25-cv-03098-TLP-atc
DISPOSITION	remanded
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 exercised habeas jurisdiction to review the legality of custody and applied the <i>McCarthy v. Madigan</i> framework to discretionary administrative exhaustion, ordinary principles of statutory interpretation, and the <i>Mathews v. Eldridge</i> balancing test to the procedural due process claim.
PRECEDENTIAL VALUE	unpublished
PARTIES	Marlon Geovanny Urrutia-Diaz v. Scott Ladwig

TOPICS

immigration detention

removal proceedings

statutory interpretation

procedural due process

civil procedure

PRACTICE AREAS

immigration law

habeas corpus

constitutional law

administrative law

QUESTIONS PRESENTED

1. Whether the Court should require Petitioner to exhaust administrative remedies before seeking habeas relief when the BIA had already rejected the statutory position underlying his claim and could not review his constitutional challenge.
2. Whether 8 U.S.C. § 1225(b)(2)(A) or § 1226(a) governs the detention of a noncitizen who unlawfully entered the United States, has resided in the interior for approximately eleven months, and was apprehended away from the border during removal proceedings.
3. Whether continued detention without a bond hearing violates procedural due process.
4. Whether Petitioner was entitled at that stage to attorney's fees and costs under the Equal Access to Justice Act.

HOLDINGS

1. The Court declined to require exhaustion of administrative remedies because seeking a bond hearing and appealing to the BIA would be futile after *Matter of Yajure Hurtado* predetermined the agency's position, and the BIA could not review Petitioner's constitutional claim.
2. Section 1226(a), rather than § 1225(b)(2)(A), governs the detention of a noncitizen who has already entered and resided in the United States and is apprehended in the interior rather than while actively seeking admission.
3. Petitioner's continued detention without a bond hearing violated procedural due process, and he was entitled to a bond hearing before an immigration judge.

KEY QUOTATIONS

“an administrative remedy may be inadequate where the administrative body . . . has otherwise predetermined the issue before it.” (Analysis, Part I)

“So even though Petitioner here has resided in the United States for less than a year, § 1226 governs because he is not seeking admission but is already in this country.” (Analysis, Part II)

“This all makes clear that Petitioner is entitled to a bond hearing before an immigration judge. And not only that, but his continued detention without that bond hearing violates his due process rights.” (Analysis, Part III)

FACTUAL BACKGROUND

Petitioner, a Honduran citizen, entered the United States unlawfully in December 2023, was returned to Mexico through expedited removal, and reentered without lawful status around January 10, 2025. After receiving a notice to appear and later applying for asylum and withholding of removal, he was detained in November 2025 for violating an alternatives-to-detention program. DHS and EOIR classified him as subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) and had not provided a bond hearing.

PROCEDURAL HISTORY

Petitioner filed a § 2241 habeas petition challenging his detention under 8 U.S.C. § 1225(b)(2)(A) and seeking release, a bond hearing, and attorney's fees and costs. The Court ordered Respondent to show cause, Respondent filed a response, and the parties consented to resolution without a hearing. The Court granted the petition in part and ordered a bond hearing under § 1226(a), while declining to order release before that hearing.

DISPOSITION

remanded

REMAND INSTRUCTIONS

Respondent must provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) and 8 C.F.R. § 1236.1(c)(8), (d)(1), within 14 days of entry of the Order. Respondent is enjoined from pursuing Petitioner's detention under 8 U.S.C. § 1225(b)(2)(A). The Court declined to order Petitioner's release pending the bond hearing.

CASES CITED

- *Monge-Nunez v. Ladwig*, No. 25-3043, 2025 WL 3565348, at *1, *6 (W.D. Tenn. Dec. 12, 2025)
- *Padilla-Ugsha v. Ladwig*, No. 25-3045, 2025 WL 3638007, at *6 (W.D. Tenn. Dec. 15, 2025)
- *Godinez-Lopez v. Ladwig*, No. 25-2962, 2025 WL 3047889, at *1, *4, *6 (W.D. Tenn. Oct. 31, 2025)
- *Barco Mercado v. Francis*, 2025 WL 3295903, at *4-5 (S.D.N.Y. Nov. 26, 2025)
- *In re Matter of Yajure Hurtado*, 29 I. & N. Dec. 216, 228 (BIA 2025)
- *Boumediene v. Bush*, 553 U.S. 723, 745 (2008)
- *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973)
- *Lopez-Campos v. Raycraft*, 797 F. Supp. 3d 771, 777-79 (E.D. Mich. 2025)
- *Matter of Guerra*, 24 I. & N. Dec. 37, 40 (BIA 2006)
- *McCarthy v. Madigan*, 503 U.S. 140, 144-49 (1992)
- *Gibson v. Berryhill*, 411 U.S. 564, 575 n.14 (1973)
- *Houghton v. Shafer*, 392 U.S. 639, 640 (1968)
- *Association of National Advertisers, Inc. v. FTC*, 627 F.2d 1151, 1156-57 (D.C. Cir. 1979)
- *Patsy v. Florida International University*, 634 F.2d 900, 912-13 (5th Cir. 1981), rev'd on other grounds, sub nom. *Patsy v. Board of Regents of Florida*, 457 U.S. 496 (1982)
- *Ross v. Blake*, 578 U.S. 632, 638 (2016)
- *Corley v. United States*, 556 U.S. 303, 314 (2009)

- Kentucky v. Biden, 23 F.4th 585, 603 (6th Cir. 2022)
- Connecticut National Bank v. Germain, 503 U.S. 249, 253-54 (1992)
- Dubin v. United States, 599 U.S. 110, 121 (2023)
- Jennings v. Rodriguez, 583 U.S. 281, 287, 289 (2018)
- Department of Homeland Security v. Thuraissigiam, 591 U.S. 103, 140 (2020)
- United States v. Silvestre-Gregorio, 983 F.3d 848, 852 (6th Cir. 2020)
- Hamdi v. Rumsfeld, 542 U.S. 507, 529 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)