

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF  
ILLINOIS, EASTERN DIVISION

Francisco Cruz Rodriguez v. Samuel Olson, in his official capacity as  
Field Office Director of U.S. Immigration and Customs Enforcement,  
et al.

Case No. 1:25-cv-12961 · No. 1:25-cv-12961 · Decided December 17, 2025

SUMMARY

The United States District Court for the Northern District of Illinois denied Francisco Cruz Rodriguez’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that his warrantless-arrest challenge could not provide habeas relief because removal proceedings had begun, and that he was subject to mandatory detention under 8 U.S.C. § 1225(b)(2) rather than discretionary detention under § 1226(a). The court also rejected jurisdiction-stripping arguments and concluded that mandatory detention under § 1225(b)(2) did not violate the Fifth Amendment Due Process Clause.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                              |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Northern District of Illinois, Eastern Division                                                                                                                                                                                                                         |
| WRITING FOR THE COURT | Martha M. Pacold                                                                                                                                                                                                                                                                                             |
| JURISDICTION          | United States District Court for the Northern District of Illinois, Eastern Division                                                                                                                                                                                                                         |
| DECIDED               | December 17, 2025                                                                                                                                                                                                                                                                                            |
| DOCKET                | 1:25-cv-12961                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | writ_denied                                                                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging his warrantless ICE arrest, mandatory detention without a bond hearing, and the constitutionality of mandatory detention under 8 U.S.C. § 1225(b)(2).                                                                                     |
| STANDARD OF REVIEW    | The court applied the statutory text of the INA and reviewed the constitutional detention challenge under the procedural due process framework of Mathews v. Eldridge. It treated the habeas petition as requiring a showing that petitioner was in custody in violation of federal law or the Constitution. |

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|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>PRECEDENTIAL VALUE</b> | unpublished district court memorandum opinion; persuasive value only                                                                            |
| <b>PARTIES</b>            | Francisco Cruz Rodriguez v. Samuel Olson, in his official capacity as Field Office Director of U.S. Immigration and Customs Enforcement, et al. |

## TOPICS

immigration detention removal proceedings procedural due process statutory interpretation  
civil procedure

## PRACTICE AREAS

immigration habeas corpus constitutional law statutory interpretation civil procedure

## QUESTIONS PRESENTED

1. Whether the INA's jurisdiction-stripping provisions barred habeas review of petitioner's challenges to his warrantless arrest, detention classification, and mandatory detention.
2. Whether a warrantless immigration arrest entitled petitioner to release through a § 2241 habeas petition after removal proceedings had begun.
3. Whether petitioner was an applicant for admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2), rather than discretionary detention and a bond hearing under § 1226(a).
4. Whether mandatory detention under § 1225(b)(2), during reasonably conducted removal proceedings, violated the Fifth Amendment's Due Process Clause.

## HOLDINGS

1. The court had jurisdiction to review petitioner's claims because they challenged the legal basis and constitutionality of detention and the manner of arrest, rather than the Attorney General's discrete decisions to commence proceedings, adjudicate cases, or execute removal orders, and because the claims fell within the jurisdictional holding applied from *Jennings v. Rodriguez*.
2. A warrantless arrest did not entitle petitioner to release under § 2241 because removal proceedings had begun and were not alleged to be unreasonably delayed.
3. Petitioner was an applicant for admission under § 1225(a) and was therefore subject to mandatory detention under § 1225(b)(2), without entitlement to a bond hearing under § 1226(a).
4. Mandatory detention under § 1225(b)(2), for a reasonable period during ongoing removal proceedings, did not violate the Fifth Amendment Due Process Clause on the facts presented.

## KEY QUOTATIONS

*“once deportation proceedings have begun[,] the legality of the alien’s detention based on the absence of a warrant can no longer be tested by way of a habeas corpus proceeding.”* (Analysis § II)

*“The upshot of this statutory scheme is that those aliens subject solely to § 1226 may be released pending their removal proceedings, but “aliens falling within the scope of § 1225(b)(2) shall be detained for a [removal] proceeding.”” (Analysis § III)*

*“Taking all this into account, the court concludes the Due Process Clause is not offended by Congress’s choice to impose mandatory detention under § 1225(b)(2).” (Analysis § IV.B)*

*“While this court has jurisdiction over petitioner’s claims, petitioner has not demonstrated that his mandatory detention offends federal law.” (Conclusion)*

## FACTUAL BACKGROUND

Francisco Cruz Rodriguez, a 38-year-old Mexican citizen, had lived in the United States for nearly twenty years and was married to a U.S. citizen with three U.S. citizen minor children. He alleged that he had no criminal convictions, posed no security threat, and had no prior immigration record. ICE detained him without a warrant on October 22, 2025, while he was working in landscaping in Oak Park, Illinois, and removal proceedings were then initiated and actively proceeding. He did not contest that he was removable or allege that his proceedings were being unreasonably delayed.

## PROCEDURAL HISTORY

ICE detained petitioner on October 22, 2025, and served him with a Notice to Appear after initiating removal proceedings. Petitioner filed a § 2241 habeas petition while detained at the Broadview Detention Center. The district court held that it had jurisdiction over the claims but denied the petition on the merits.

## DISPOSITION

writ\_denied

## CASES CITED

- Sinochem Int’l Co. v. Malaysia Int’l Shipping Corp., 549 U.S. 422, 430-31 (2007)
- Steel Co. v. Citizens for a Better Environment, 523 U.S. 83 (1998)
- Reno v. Am.-Arab Anti-Discrimination Comm., 525 U.S. 471, 482-83 (1999)
- Jennings v. Rodriguez, 583 U.S. 281, 289, 291-95, 297, 299-306, 314, 355 (2018)
- Marks v. United States, 430 U.S. 188, 193 (1977)
- Botezatu v. I.N.S., 195 F.3d 311, 313 (7th Cir. 1999)
- Arias v. Rogers, 676 F.2d 1139, 1142-44 (7th Cir. 1982)
- Loughrin v. United States, 573 U.S. 351, 357-58 & n.4 (2014)
- Castañon-Nava v. U.S. Dep’t of Homeland Sec., No. 25-3050, 2025 WL 3552514, at \*4, \*8-\*12 (7th Cir. Dec. 11, 2025)
- Lawson Prods., Inc. v. Avnet, Inc., 782 F.2d 1429, 1435 (7th Cir. 1986)
- Ayers v. City of Chi., 125 F.3d 1010, 1013 (7th Cir. 1997)
- Univ. of Texas v. Camenisch, 451 U.S. 390, 395 (1981)

- TRW Inc. v. Andrews, 534 U.S. 19, 29, 31 (2001)
- Skilling v. United States, 561 U.S. 358, 413 n.45 (2010)
- Monsalvo v. Bondi, 604 U.S. 712, 726 (2025)
- Morton v. Mancari, 417 U.S. 535, 550-51 (1974)
- Marinello v. United States, 584 U.S. 1, 9 (2018)
- Reno v. Flores, 507 U.S. 292, 306 (1993)
- Demore v. Kim, 538 U.S. 510, 513, 521-28, 530-31 (2003)
- Zadvydas v. Davis, 533 U.S. 678, 684, 690, 693 (2001)
- The Japanese Immigrant Case, 189 U.S. 86, 100-01 (1903)
- Dep't of Homeland Sec. v. Thuraissigiam, 591 U.S. 103, 138-40 (2020)
- Martinez v. Larose, 980 F.3d 551, 552 (6th Cir. 2020) (Thapar, J., concurring in denial of rehearing en banc)
- Shaughnessy v. United States ex rel. Mezei, 345 U.S. 206, 208-15 (1953)
- Kaplan v. Tod, 267 U.S. 228, 229-30 (1925)
- Plyler v. Doe, 457 U.S. 202, 206, 210 (1982)
- Leng May Ma v. Barber, 357 U.S. 185, 187 (1958)
- Castro v. United States Dep't of Homeland Sec., 835 F.3d 422, 448 (3d Cir. 2016)
- Landon v. Plasencia, 459 U.S. 21, 34-35 (1982)
- Gonzalez v. O'Connell, 355 F.3d 1010, 1019-20 (7th Cir. 2004)
- Carlson v. Landon, 342 U.S. 524, 533-34 (1952)
- Hussain v. Mukasey, 510 F.3d 739, 742 (7th Cir. 2007)