

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
ALABAMA, WESTERN DIVISION

Rene Ernesto Martinez Alvarenga v. Jordan Powell, et al.

Alvarenga · No. 7:26-cv-939-CLM-HNJ · Decided June 10, 2026

SUMMARY

The United States District Court for the Northern District of Alabama partially grants Rene Ernesto Martinez Alvarenga’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that his detention is governed by 8 U.S.C. § 1226(a), entitling him to an individualized bond hearing, but denies immediate unconditional release and other requested relief. The court dismisses several respondents, identifies Brian Acuna as the proper respondent, and orders a bond hearing or release under specified conditions.

CASE DETAILS

COURT	United States District Court for the Northern District of Alabama, Western Division
WRITING FOR THE COURT	Corey Maze
JURISDICTION	United States District Court for the Northern District of Alabama, Western Division
DECIDED	June 10, 2026
DOCKET	7:26-cv-939-CLM-HNJ
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking immediate release or an individualized bond hearing.
STANDARD OF REVIEW	The court applied de novo review to the legal questions concerning its § 2241 jurisdiction and the statutory basis for detention.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion
PARTIES	Rene Ernesto Martinez Alvarenga v. Jordan Powell, Brian Acuna, David Venturella, Markwayne Mullin, Todd Blanche

TOPICS

- federal habeas corpus
- immigration detention
- removal proceedings
- statutory interpretation
- remedies

PRACTICE AREAS

immigration

federal habeas corpus

immigration detention

statutory interpretation

remedies

QUESTIONS PRESENTED

1. Whether the Immigration and Nationality Act deprived the district court of jurisdiction to consider a § 2241 petition challenging the authority to detain a noncitizen awaiting removal proceedings.
2. Whether jurisdiction was proper in the Northern District of Alabama even though the petitioner was transferred to Louisiana after filing the petition.
3. Whether the petitioner named the proper respondent for a habeas action after his transfer.
4. Whether alleged defects in the petitioner's initial arrest entitled him to immediate release through habeas corpus.
5. Whether a prior class-certification ruling from another district court required the government to provide the petitioner a bond hearing.
6. Whether the petitioner was detained under 8 U.S.C. § 1226(a), making him eligible for an individualized bond hearing, rather than under the mandatory-detention provision of 8 U.S.C. § 1225(b)(2)(A).
7. What relief the district court could order under the immigration detention statutes.

HOLDINGS

1. The Immigration and Nationality Act does not strip federal district courts of jurisdiction to determine the extent of the government's authority to detain noncitizens awaiting removal hearings.
2. A district court retains jurisdiction over a § 2241 petition when the petitioner was physically located in the district at the time of filing, even if the government later transfers the petitioner to another district.
3. The proper respondent is the petitioner's immediate physical custodian, ordinarily the warden or official responsible for the facility where the petitioner is being held; remote supervisory officials are not proper respondents.
4. A habeas petition is not the proper vehicle to obtain release solely because of defects in the petitioner's initial arrest; if lawful grounds for current detention exist, arrest defects alone do not require release.
5. The Maldonado Bautista class-certification and detention rulings did not bind the district court because the Ninth Circuit had stayed the class-certification order pending appeal.
6. Under binding Eleventh Circuit precedent, § 1226 supplies the default detention authority for a noncitizen arrested and detained in the interior, and a noncitizen detained under § 1226(a) is entitled to seek an individualized bond hearing.
7. The court could order an individualized bond hearing or release if no hearing occurred, but it could not prescribe the immigration judge's burden of proof or otherwise set aside the Attorney General's bond or detention decision beyond the relief authorized by the governing statutes.

KEY QUOTATIONS

“habeas is not a vehicle to redress defects in an initial arrest; its function is to determine whether the petitioner may lawfully remain in custody.”

“§ 1225 applies to arriving aliens seeking entry at the border, whereas § 1226 applies to aliens unlawfully in the interior.”

“§ 1226 supplies the default rule of detention for an alien arrested and detained in the interior, whether he is being removed on grounds of deportability or inadmissibility.”

FACTUAL BACKGROUND

Martinez Alvarenga, a citizen of El Salvador, entered the United States without being admitted or paroled in 2016 when he was a minor. After a May 29, 2026 traffic stop in Alabama, ICE took him into custody and initially held him at the Pickens County Detention Center. He filed his § 2241 petition while in the Northern District of Alabama, but ICE transferred him to a detention facility in Louisiana shortly afterward.

PROCEDURAL HISTORY

Martinez Alvarenga filed a § 2241 petition and moved for a temporary restraining order preventing his transfer outside the district. Although the court initially granted the temporary restraining order based on the likelihood that he was entitled to an individualized bond hearing, the government had transferred him to Louisiana before the order issued. The court retained jurisdiction, dismissed the improper respondents, granted habeas relief in part, and ordered the proper respondent to provide a bond hearing or release him.

DISPOSITION

other

REMAND INSTRUCTIONS

The court ordered Brian Acuna to bring Martinez Alvarenga before an immigration judge for a bond hearing by June 18, 2026, or release him. The hearing and resulting order must consider all properly submitted evidence and the factors identified in *In re Guerra*, 24 I. & N. Dec. 37 (BIA 2006). If no hearing occurs by the deadline, or if bond is denied for a reason conflicting with current Eleventh Circuit precedent, Acuna must release Martinez Alvarenga with reasonable conditions of supervision. Acuna must file a status notice by June 23, 2026.

CASES CITED

- *Ayala v. Harper*, 2026 WL 501113 (N.D. Ala. Feb. 23, 2026)
- *Rumsfeld v. Padilla*, 542 U.S. 426 (2004)
- *Ex parte Endo*, 323 U.S. 283 (1944)
- *A.E. v. Powell*, 2026 WL 782294 (N.D. Ala. Mar. 19, 2026)
- *U.S. ex rel. Bilokumsky v. Tod*, 263 U.S. 149 (1923)
- *Bautista v. Santacruz*, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025)
- *Bautista v. Santacruz*, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025)

- *Maldonado Bautista v. Executive Office for Immigration Review*, No. 25-7958, Dkt. 14 (9th Cir. Mar. 31, 2026)
- *Hernandez Alvarez v. Warden, Fed. Det. Ctr. Miami*, 175 F.4th 1258 (11th Cir. May 6, 2026)
- *Martin v. Singletary*, 965 F.2d 944 (11th Cir. 1992)
- *Jennings v. Rodriguez*, 583 U.S. 281 (2018)
- *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th Cir. 2026)

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