

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, FORT MYERS DIVISION

Sibrian v. Hardin

No. 2:26-cv-174-KCD-NPM (M.D. Fla. Feb. 24, 2026) · No. No. 2:26-cv-174-KCD-NPM · Decided February 24, 2026

SUMMARY

The United States District Court for the Middle District of Florida grants in part and denies in part Yoni Sibrian’s habeas petition challenging his detention by U.S. Immigration and Customs Enforcement. The court holds that Sibrian is entitled to the statutory process under 8 U.S.C. § 1226(a), including a bond hearing, rather than immediate release. The court declines to reach his Fifth Amendment claim and orders the case closed after directing the Government to provide the required process.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Fort Myers Division
WRITING FOR THE COURT	Kyle C. Dudek
JURISDICTION	United States District Court for the Middle District of Florida, Fort Myers Division
DECIDED	February 24, 2026
DOCKET	No. 2:26-cv-174-KCD-NPM
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus challenging immigration detention and the denial of a bond hearing.
STANDARD OF REVIEW	The court interpreted the Immigration and Nationality Act de novo and determined the appropriate habeas relief for the alleged statutory detention violation.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive but not binding precedent.
PARTIES	Yoni Sibrian v. David Hardin, Acting Director Todd M. Lyons

TOPICS

- immigration detention
- statutory interpretation
- removal proceedings
- immigration
- injunctions

PRACTICE AREAS

immigration law

habeas corpus

federal courts

statutory interpretation

constitutional law

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1225(b)(2), or instead § 1226(a), governs the detention of a noncitizen who illegally entered the United States and is already present in the country pending removal.
2. Whether Sibrian was entitled to immediate release or to a bond hearing under § 1226(a).
3. Whether the court needed to decide Sibrian's Fifth Amendment challenge after granting relief under the INA.

HOLDINGS

1. Section 1226(a), rather than the mandatory-detention provision in § 1225(b)(2), governs the detention of this noncitizen because he was already living and working inside the United States and was not actively seeking physical admission.
2. Sibrian was entitled to the statutory process required by § 1226(a), including a bond hearing, but not to immediate release.
3. The court did not need to decide the Fifth Amendment claim because the statutory interpretation of § 1226(a) provided the relief to which Sibrian was entitled.

KEY QUOTATIONS

“§ 1226 applies to aliens already present in the United States.”

“You cannot actively “seek” physical entry into a country if you are already living and working inside it.”

“That would make us legislators, not jurists.”

“[Section] 1226(a)(1) grants the executive branch discretion to determine whether to detain or release a noncitizen who is facing removal proceedings.”

FACTUAL BACKGROUND

Sibrian illegally entered the United States in 2013 and was later detained by U.S. Immigration and Customs Enforcement pending removal. He alleged that the Government classified him under the mandatory-detention provision of 8 U.S.C. § 1225(b)(2), although § 1226(a) governed his detention and entitled him to consideration for release at a bond hearing. He sought release from custody, but the court determined that the proper relief was a bond hearing rather than immediate release.

PROCEDURAL HISTORY

Sibrian filed a federal habeas petition alleging that the Government was unlawfully detaining him under 8 U.S.C. § 1225(b)(2), rather than under the discretionary detention provision in § 1226(a), and that his detention violated the Fifth Amendment. The Government opposed the petition. The district court granted relief in part and

denied it in part, ordering the Government to provide the statutory process required by § 1226(a), including a bond hearing, while denying immediate release and declining to reach the Fifth Amendment claim.

DISPOSITION

other

REMAND INSTRUCTIONS

The Government must provide Sibrian with the statutory process required under 8 U.S.C. § 1226(a), including a bond hearing. The court denied all other relief, directed the Clerk to terminate pending motions and deadlines, and close the case.

CASES CITED

- Jennings v. Rodriguez, 583 U.S. 281, 297, 303 (2018)
- Hernandez-Lopez v. Hardin, No. 2:25-CV-830-KCD-NPM, 2025 WL 3022245 (M.D. Fla. Oct. 29, 2025)
- Garcia v. Noem, No. 2:25-CV-00879-SPC-NPM, 2025 WL 3041895, at *6 (M.D. Fla. Oct. 31, 2025)
- Cabanas v. Bondi, No. 4:25-CV-04830, 2025 WL 3171331, at *5 (S.D. Tex. Nov. 13, 2025)
- Lopez-Campos v. Raycraft, 797 F. Supp. 3d 771 (E.D. Mich. 2025)
- Schwab v. Crosby, 451 F.3d 1308, 1325 (11th Cir. 2006)
- Guaiquire v. Quinones, No. 6:26-CV-169-RBD-RMN, 2026 WL 279369, at *3, *6 (M.D. Fla. Feb. 3, 2026)
- Kashranov v. Jamison, No. 2:25-CV-05555-JDW, 2025 WL 3188399, at *6 (E.D. Pa. Nov. 14, 2025)
- Ndiaye v. Jamison, No. CV 25-6007, 2025 WL 3229307, at *6 (E.D. Pa. Nov. 19, 2025)
- Buenrostro-Mendez v. Bondi, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- Castanon-Nava v. U.S. Department of Homeland Security, 161 F.4th 1048, 1060-63 (7th Cir. 2025)
- Hulke v. Schmidt, 572 F. Supp. 3d 593, 596 (E.D. Wis. 2021)
- Lopez-Arevelo v. Ripa, 801 F. Supp. 3d 668 (W.D. Tex. 2025)
- Pizarro Reyes v. Raycraft, No. 25-cv-12546, 2025 WL 2609425, at *8 (E.D. Mich. Sept. 9, 2025)
- Sanchez-Penunuri v. Longshore, 7 F. Supp. 3d 1136, 1150 (D. Colo. 2013)
- Masingene v. Martin, 424 F. Supp. 3d 1298, 1302 (S.D. Fla. 2020)
- Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025)
- Alli v. Decker, 650 F.3d 1007, 1015 (8th Cir. 2011)
- JAM. v. Holder, 107 F. Supp. 3d 1119, 1144 (W.D. Wash. 2015)