

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF  
WEST VIRGINIA, HUNTINGTON DIVISION

Teodora Cornelio Navarrete v. David Kluemper

Navarrete · No. 3:26-0244 · Decided April 8, 2026

SUMMARY

The United States District Court for the Southern District of West Virginia granted Teodora Cornelio Navarrete’s amended habeas petition challenging her immigration detention. The court held that 8 U.S.C. § 1226(a), rather than § 1225(b)(2), governed her detention and found that her due process rights were violated; because she had already been released, the court prohibited the respondents from re-arresting and detaining her in civil confinement pending further order.

CASE DETAILS

|                       |                                                                                                                                                                                                             |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Southern District of West Virginia, Huntington Division                                                                                                                |
| WRITING FOR THE COURT | Robert C. Chambers                                                                                                                                                                                          |
| JURISDICTION          | United States District Court for the Southern District of West Virginia, Huntington Division                                                                                                                |
| DECIDED               | April 8, 2026                                                                                                                                                                                               |
| DOCKET                | 3:26-0244                                                                                                                                                                                                   |
| DISPOSITION           | granted                                                                                                                                                                                                     |
| PROCEDURAL POSTURE    | Petitioner's amended petition for a writ of habeas corpus under 28 U.S.C. § 2241 was granted after the Government detained her following an interior arrest and released her before the show-cause hearing. |
| STANDARD OF REVIEW    | The court evaluated whether the petition established that the detention was unlawful and whether habeas relief was appropriate under 28 U.S.C. § 2243.                                                      |
| PRECEDENTIAL VALUE    | unpublished, nonprecedential district court memorandum opinion and order                                                                                                                                    |
| PARTIES               | Teodora Cornelio Navarrete v. David Kluemper, John Rife, Todd M. Lyons, Markwayne Mullin, Todd Blanche                                                                                                      |

TOPICS

immigration detention

removal proceedings

due process

subject matter jurisdiction

statutory interpretation

## PRACTICE AREAS

immigration detention

habeas corpus

constitutional law

civil procedure

## QUESTIONS PRESENTED

1. Whether the district court had jurisdiction to review Navarrete's challenge to her immigration detention notwithstanding 8 U.S.C. §§ 1252(b)(9) and 1252(g).
2. Whether Navarrete's detention was governed by 8 U.S.C. § 1226(a) rather than the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A).
3. Whether Navarrete's detention violated due process because she was detained without an individualized custody determination or a legally sufficient basis for continued confinement.
4. Whether release, rather than a bond hearing, was the appropriate habeas remedy.

## HOLDINGS

1. The court had jurisdiction because it was not reviewing a final order of removal and Navarrete's detention did not stem from the commencement of removal proceedings; instead, the removal proceedings followed her arrest and detention.
2. Section 1226(a), not the mandatory-detention provision in § 1225(b)(2)(A), governed Navarrete's detention because she was arrested within the interior of the United States and was not seeking admission.
3. Navarrete's detention violated due process because she was not afforded an individualized custody determination and the Government failed to establish a legitimate basis for continued confinement.
4. Release was the appropriate habeas relief, and ordering only a bond hearing would have been futile under the circumstances.

## KEY QUOTATIONS

*“Petitioner’s detention is governed by 8 U.S.C. § 1226(a) not 8 U.S.C. § 1225(b)(2), and Petitioner’s due process rights have been violated.”* (Memorandum Opinion and Order)

*“The Court ORDERS that the Respondents be PROHIBITED from re-arresting and detaining the Petitioner in civil confinement pending further order of this Court.”* (Memorandum Opinion and Order)

## FACTUAL BACKGROUND

Navarrete was arrested and detained by immigration officers in Hurricane, West Virginia, after she was a passenger in a vehicle stopped for an alleged failure to maintain lane. A records search revealed that the driver was subject to a final order of removal, but the Government did not discover that Navarrete herself was subject to a final removal order and did not produce an arrest warrant issued before her arrest. The Government

presented no argument that Navarrete posed a risk of nonappearance or danger to the community and did not provide evidence that she received an individualized custody determination.

## PROCEDURAL HISTORY

Navarrete filed a verified amended petition challenging her immigration detention. The court issued an expedited order to show cause on April 3, 2026, and directed the Government to investigate the detention and release her absent a good-faith basis for presenting new arguments. The Government reported that Navarrete had been released on April 3, and the parties agreed to cancel the scheduled show-cause hearing. The court nevertheless adjudicated the amended petition and granted habeas relief, prohibiting the Respondents from re-arresting and detaining Navarrete in civil confinement pending further order.

## DISPOSITION

granted

## CASES CITED

- *Avila v. Bondi*, No. 25-3248, 2026 WL 819258 (8th Cir. Mar. 25, 2026)
- *Buenrostro-Mendez v. Bondi*, 166 F.4th 494, 498 (5th Cir. 2026)
- *Jennings v. Rodriguez*, 583 U.S. 287 (2018)
- *Simanca Gonzalez v. Aldridge*, No. 3:26-0055, 2026 WL 313476 (S.D. W. Va. Feb. 5, 2026)
- *Shailookul Uulu v. Aldridge*, No. 3:26-0076, 2026 WL 401200 (S.D. W. Va. Feb. 12, 2026)
- *Briceno Solano v. Mason*, No. 2:26-cv-00045, 2026 WL 311624, at \*20 (S.D. W. Va. Feb. 4, 2026)
- *Mehari v. Mason*, No. 2:26-cv-00039, 2026 WL 316034, at \*3 (S.D. W. Va. Feb. 5, 2026)
- *Gutierrez Aroca v. Mason*, No. 2:26-cv-00057, 2026 WL 357872, at \*14 (S.D. W. Va. Feb. 9, 2026)
- *Umarov v. Mason*, No. 2:26-cv-00081, 2026 WL 381614, at \*5 (S.D. W. Va. Feb. 11, 2026)
- *Bethancourt Soto v. Soto*, No. 25-cv-16200, 2025 WL 2976572, at \*7 (D.N.J. Oct. 22, 2025)
- *Barco Mercado v. Francis*, No. 25-cv-6582 (LAK), 2025 WL 3295903, at \*4 (S.D.N.Y. Nov. 26, 2025)
- *Yao v. Almodovar*, No. 25-CV-9982, 2025 WL 3653433, at \*10, \*12 (S.D.N.Y. Dec. 17, 2025)