

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
TENNESSEE, WESTERN DIVISION

Selvin Hernandez-Oseguera v. Minter, et al.

Hernandez-Oseguera · No. 2:26-cv-02416-BCL-tmp · Decided April 16, 2026

SUMMARY

The United States District Court for the Western District of Tennessee denied Selvin Hernandez-Oseguera’s petition for habeas corpus under 28 U.S.C. § 2241, which challenged his detention without an individualized bond hearing. The court held that his statutory claims were barred by failure to exhaust administrative remedies and, alternatively, that 8 U.S.C. § 1225(b)(2) requires his mandatory detention as an applicant for admission. The court also rejected his due process challenge and directed the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Western District of Tennessee, Western Division
WRITING FOR THE COURT	Brian C. Lea
JURISDICTION	United States District Court for the Western District of Tennessee, Western Division
DECIDED	April 16, 2026
DOCKET	2:26-cv-02416-BCL-tmp
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention without an individualized bond hearing.
STANDARD OF REVIEW	The court screened the habeas petition under 28 U.S.C. § 2243 and dismissed it where the application itself showed that the petitioner was not entitled to relief. Statutory and constitutional legal questions were reviewed de novo.
PRECEDENTIAL VALUE	District court order; nonprecedential outside the case and not binding on other courts.
PARTIES	Selvin Hernandez-Oseguera, Petitioner v. Minter, et al., Respondents

TOPICS

immigration detention

federal habeas corpus

removal proceedings

statutory interpretation

due process

PRACTICE AREAS

immigration

federal habeas corpus

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether the petitioner's statutory challenge to detention under 8 U.S.C. § 1225 was barred by failure to exhaust administrative remedies.
2. Whether a noncitizen who entered the United States without admission or inspection remains an applicant for admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2), rather than discretionary detention under § 1226(a).
3. Whether mandatory detention under § 1225(b)(2) without an individualized bond hearing violates the Due Process Clause.

HOLDINGS

1. The petitioner's statutory claims challenging application of 8 U.S.C. § 1225 were barred by the prudential exhaustion doctrine because he had not presented them to the Board of Immigration Appeals and the BIA could provide the requested relief.
2. A noncitizen present in the United States who has never been lawfully admitted is an applicant for admission under 8 U.S.C. § 1225(a)(1) and is subject to mandatory detention under § 1225(b)(2), even if the noncitizen entered the interior years earlier rather than being apprehended at or near the border.
3. Mandatory detention of the petitioner under § 1225(b)(2) without an individualized bond hearing did not violate the Due Process Clause because the petitioner had never been lawfully admitted and Congress had not provided a statutory right to such a hearing.

KEY QUOTATIONS

“Petitioner’s failure to exhaust his administrative remedies dooms his statutory claims, which in any event fail on their merits. And Petitioner’s detention as required by statute does not violate the Constitution.”

“Petitioner is an “applicant for admission” subject to mandatory detention under Section 1225(b)(2).”

“In sum, neither the governing statutes nor the Constitution prevent Petitioner’s detention in connection with removal proceedings or guarantee Petitioner a bond hearing during that process.”

FACTUAL BACKGROUND

Hernandez-Oseguera entered the United States in July 2022 without admission or inspection and lived in Memphis, Tennessee with his three children. After a January 31, 2026 traffic stop, federal agents arrested him and placed him in ICE custody at the West Tennessee Detention Facility. He was charged with entering the United States without admission or inspection, had never been apprehended at entry, and had not previously been placed in deportation or removal proceedings. He challenged his detention without a bond hearing.

PROCEDURAL HISTORY

Hernandez-Oseguera filed a § 2241 petition challenging his detention by Immigration and Customs Enforcement. The district court screened the petition under § 2243, held that the statutory claims were barred by failure to exhaust administrative remedies and failed on the merits, rejected the constitutional claims on the merits, denied the petition, dismissed the other respondents, directed the docket to identify the proper respondent, and closed the case.

DISPOSITION

dismissed

CASES CITED

- Roman v. Ashcroft, 340 F.3d 314, 320–21 (6th Cir. 2003)
- Zadvydas v. Davis, 533 U.S. 678, 687 (2001)
- Allen v. Perini, 424 F.2d 134, 141 (6th Cir. 1970)
- McCarthy v. Madigan, 503 U.S. 140, 144 (1992)
- Lexmark International, Inc. v. Static Control Components, Inc., 572 U.S. 118, 126 (2014)
- Sprint Communications, Inc. v. Jacobs, 571 U.S. 69, 77 (2013)
- Shearson v. Holder, 725 F.3d 588, 593–94 (6th Cir. 2013)
- Woodford v. Ngo, 548 U.S. 81, 89 (2006)
- Smith v. U.S. Securities and Exchange Commission, No. 24-3907, 2026 WL 850806, at *7 (6th Cir. Mar. 27, 2026)
- Buenrostro-Mendez v. Bondi, 166 F.4th 494, 502, 504 (5th Cir. 2026)
- Avila v. Bondi, No. 25-3248, 2026 WL 819258, at *2, *4 (8th Cir. Mar. 25, 2026)
- Gomez v. Daley, No. 2:25-CV-00150-SCM, 2026 WL 252496, at *6 (E.D. Ky. Jan. 30, 2026)
- Gomez Hernandez v. Lyons, No. 1:25-CV-216-H, 2026 WL 31775, at *7 (N.D. Tex. Jan. 6, 2026)
- Barton v. Barr, 590 U.S. 222, 239 (2020)
- Bangura v. Hansen, 434 F.3d 487, 494 (6th Cir. 2006)
- Reno v. Flores, 507 U.S. 292, 306 (1993)
- Department of Homeland Security v. Thuraissigiam, 591 U.S. 103, 138, 140 (2020)
- Gonzalez v. Ladwig, No. 2:26-cv-02017-MSN-atc, 2026 WL 413602, at *11 (W.D. Tenn. 2026)
- Kaplan v. Tod, 267 U.S. 228, 230–31 (1925)