

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, OWENSBORO DIVISION

Ninoska Reyes Lopez v. Jason Woosley, et al.

2026 WL 541171 (W.D. Ky. Mar. 4, 2026) · No. 4:26-cv-85-RGJ · Decided March 4, 2026

SUMMARY

The United States District Court for the Western District of Kentucky granted Ninoska Reyes Lopez’s petition for a writ of habeas corpus challenging her immigration detention. The court held that 8 U.S.C. § 1226, rather than § 1225(b)(2), governed her detention and ordered her immediate release, subject to a bond hearing before a neutral immigration judge before any re-detention.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Owensboro Division
JURISDICTION	United States District Court for the Western District of Kentucky, Owensboro Division
DECIDED	March 4, 2026
DOCKET	4:26-cv-85-RGJ
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2241 challenging her immigration detention and requesting release or a bond hearing.
STANDARD OF REVIEW	The court applied the three-factor procedural due process balancing test from Mathews v. Eldridge to evaluate the lawfulness of continued civil detention.
PRECEDENTIAL VALUE	unpublished and nonprecedential district court opinion
PARTIES	Ninoska Reyes Lopez v. Jason Woosley, et al., United States

TOPICS

- immigration detention
- removal proceedings
- procedural due process
- statutory interpretation
- immigration

PRACTICE AREAS

- immigration
- habeas corpus
- constitutional law
- civil rights

QUESTIONS PRESENTED

1. Whether Lopez's detention during removal proceedings was governed by 8 U.S.C. § 1225(b)(2) or 8 U.S.C. § 1226.
2. Whether Lopez's continued detention without an individualized merits bond hearing violated the Due Process Clause and the Immigration and Nationality Act.
3. Whether release and a bond hearing before a neutral immigration judge were appropriate habeas remedies.

HOLDINGS

1. Section 1226, rather than § 1225(b)(2), governed Lopez's detention because she was not seeking admission and was already present in the United States and placed in removal proceedings.
2. Lopez's continued detention without an individualized merits bond hearing violated the Due Process Clause and the INA.
3. The appropriate remedy was Lopez's immediate release from the unlawful detention and a merits bond hearing before a neutral immigration judge before any re-detention.

KEY QUOTATIONS

“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the very liberty that [the Due Process Clause] protects.” (Section II.B)

“Habeas has traditionally been a means to secure release from unlawful detention.” (Section III)

“Rather, [Petitioner’s rights] are violated because she has been detained without a hearing that accords with due process.” (Section III)

FACTUAL BACKGROUND

Ninoska Reyes Lopez, a Honduran citizen who entered the United States without inspection in 2021, was living and working in Buffalo, New York, and was engaged to a lawful permanent resident. ICE detained her on November 25, 2025, after stopping the vehicle in which she was traveling and determining that she could not produce immigration documents. She was placed in removal proceedings under 8 U.S.C. § 1229a, had received a Notice to Appear, but had not received an I-200 arrest warrant or a merits bond hearing. The government treated her detention as mandatory detention under 8 U.S.C. § 1225(b)(2), while the court concluded that § 1226 governed.

PROCEDURAL HISTORY

Lopez filed a habeas petition challenging her detention during removal proceedings. The respondents opposed the petition, relying on arguments presented in related Sixth Circuit appeals, and the parties agreed that no evidentiary hearing was necessary. The district court granted the petition, ordered Lopez's immediate release, required a bond hearing before a neutral immigration judge before any re-detention, and required certification of compliance.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The United States was ordered to release Lopez immediately, provide her with a bond hearing on the merits before a neutral immigration judge pursuant to § 1226 before any re-detention, and certify compliance on the docket by March 6, 2026.

CASES CITED

- Edahi v. Lewis, 2025 WL 3466682 (W.D. Ky. Nov. 27, 2025)
- Vicen v. Lewis, 2026 WL 541171 (W.D. Ky. Feb. 26, 2026)
- A.A.R.P. v. Trump, 605 U.S. 91, 94 (2025)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- Hamdi v. Rumsfeld, 542 U.S. 507, 529 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)
- Munoz Materano, 2025 WL 2630826, at *15
- Sampiao, 2025 WL 2607924, at *12
- Hyppolite v. Noem, 2025 WL 2829511, at *15-*16 (E.D.N.Y. Oct. 6, 2025)
- Günaydin v. Trump, 2025 WL 1459154, at *10 (D. Minn. May 21, 2025)
- Thuraissigiam, 591 U.S. at 107
- Matter of Guerra, 24 I. & N. Dec. 37, 40 (BIA 2006)
- Lopez-Arevelo v. Ripa, 2025 WL 2691828, at *12 (W.D. Tex. Sep. 22, 2025)
- Black v. Decker, 103 F.4th 133, 149-150 (2d Cir. 2024)
- Maldonado, 2025 WL 2968042, at *9-*10