

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
MICHIGAN, SOUTHERN DIVISION

Andy Labrada-Argibay v. Robert Lynch et al.

Case No. 1:25-cv-1448 (W.D. Mich. Dec. 2, 2025) · No. 1:25-cv-1448 · Decided December 2, 2025

SUMMARY

The United States District Court for the Western District of Michigan conditionally grants Andy Labrada-Argibay’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in § 1225(b)(2)(A), governs the detention of a noncitizen who has resided in the United States and was apprehended within the country. The court also concludes that statutory jurisdictional bars do not preclude review and that prudential exhaustion is unnecessary or, alternatively, should be waived.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Paul L. Maloney
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	December 2, 2025
DOCKET	1:25-cv-1448
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging his detention in immigration removal proceedings and requesting a bond hearing or release. The district court conditionally granted the petition, ordered a bond hearing under 8 U.S.C. § 1226(a) within five business days or immediate release, required a compliance status report, and dismissed the Attorney General as a respondent.
STANDARD OF REVIEW	The court reviewed the statutory detention provisions de novo as questions of statutory interpretation and applied the Mathews v. Eldridge three-factor balancing test to the due process claim. Prudential exhaustion was reviewed under the court's sound judicial discretion.

PRECEDENTIAL VALUE	Unpublished federal district court opinion; persuasive but generally nonprecedential outside the case.
PARTIES	Andy Labrada-Argibay v. Robert Lynch et al.

TOPICS

immigration detention removal proceedings statutory interpretation procedural due process immigration

PRACTICE AREAS

immigration detention habeas corpus statutory interpretation constitutional law due process

QUESTIONS PRESENTED

1. Whether 8 U.S.C. §§ 1252(e)(3), 1252(g), or 1252(b)(9) deprived the district court of jurisdiction over Petitioner's § 2241 challenge to detention without a bond hearing.
2. Whether prudential administrative exhaustion was required before the court could decide Petitioner's challenge to his immigration detention.
3. Whether 8 U.S.C. § 1225(b)(2)(A) or 8 U.S.C. § 1226(a) governed the detention of a noncitizen who had entered and resided in the United States for several years before being apprehended.
4. Whether detention without an individualized bond hearing violated Petitioner's Fifth Amendment due process rights.
5. Which respondents were proper parties to the habeas action.

HOLDINGS

1. Section 1252(e)(3) did not deprive the district court of jurisdiction because Petitioner challenged the statutory authority for his individual detention, not the validity or implementation of the expedited-removal statutory system itself.
2. Section 1252(g) did not bar jurisdiction over Petitioner's habeas challenge to continued confinement without bond because the claim did not arise from the Attorney General's discretionary decision to commence proceedings, adjudicate a case, or execute a removal order.
3. Section 1252(b)(9) did not divest the district court of jurisdiction to consider Petitioner's § 2241 challenge to his entitlement to a bond hearing.
4. Prudential exhaustion was not required, and alternatively exhaustion was properly waived, because the petition presented a primarily legal statutory-interpretation question, included a constitutional challenge not correctable by the BIA, administrative review was unlikely to change the Government's position, and delay would impose hardship.
5. Section 1226(a), not § 1225(b)(2)(A), governs the detention of a noncitizen who entered and resided in the United States and was already within the country when apprehended and arrested.

6. Petitioner's detention under the mandatory-detention framework of § 1225(b)(2)(A) violated the Fifth Amendment because, under § 1226(a), he was entitled to an individualized bond hearing.
7. The Attorney General was dismissed as a respondent, but the Secretary of Homeland Security was retained because retaining a higher-level official could ensure enforceability of the conditional habeas relief if Petitioner were transferred outside the district.

KEY QUOTATIONS

“Accordingly, for the above-discussed reasons, the Court concludes that § 1226(a), not § 1225(b)(2)(A), governs noncitizens, such as Petitioner, who have resided in the United States and were already within the United States when apprehended and arrested.” (Section V.A)

“The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court’s opinion and judgment or, in the alternative, immediately release Petitioner from custody.” (Conclusion)

FACTUAL BACKGROUND

Petitioner, a native and citizen of Cuba, entered the United States without inspection or admission in March 2022 and was initially released on his own recognizance. He later filed applications for asylum, withholding of removal, and adjustment of status. ICE arrested him in Indiana on September 24, 2025, served him with a new notice to appear, and detained him without bond under the Government's view that 8 U.S.C. § 1225(b)(2)(A) applied. Petitioner was in detained removal proceedings in the Detroit Immigration Court and had not received a bond hearing.

PROCEDURAL HISTORY

Petitioner filed a counseled § 2241 petition on November 13, 2025. The court issued an order to show cause, Respondents filed a response, and Petitioner filed a reply. The court rejected jurisdictional and exhaustion objections, reached the merits, conditionally granted habeas relief, and dismissed the Attorney General as a respondent while retaining the Secretary of Homeland Security to ensure enforceability if Petitioner was transferred.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the opinion and judgment, or immediately release him from custody. Respondents must file a status report within six business days certifying compliance and stating whether the hearing occurred, whether bond was granted or denied, and the reasons for any denial.

CASES CITED

- Hamdi v. Rumsfeld, 542 U.S. 507, 525, 529 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 687, 690 (2001)
- A. A. R. P. v. Trump, 145 S. Ct. 1364, 1367 (2025)
- Dep't of Homeland Sec. v. Regents of the Univ. of Cal., 140 S. Ct. 1891, 1907 (2020)
- Reno v. Am.-Arab Anti-Discrimination Comm., 525 U.S. 471, 482 (1999)
- Jennings v. Rodriguez, 583 U.S. 281, 287–93 (2018)
- Shearson v. Holder, 725 F.3d 588, 593–94 (6th Cir. 2013)
- McCarthy v. Madigan, 503 U.S. 140, 144 (1992)
- Island Creek Coal Co. v. Bryan, 937 F.3d 738, 746 (6th Cir. 2019)
- United States v. California Care Corp., 709 F.2d 1241, 1248 (9th Cir. 1983)
- McGee v. United States, 402 U.S. 479, 484 (1971)
- McKart v. United States, 395 U.S. 185, 193–95 (1969)
- Loper Bright Enters. v. Raimondo, 144 S. Ct. 2244, 2266, 2273 (2024)
- Sterkaj v. Gonzales, 439 F.3d 273, 279 (6th Cir. 2006)
- Hibbs v. Winn, 542 U.S. 88, 101 (2004)
- Corley v. United States, 556 U.S. 303, 314 (2009)
- Kentucky v. Biden, 23 F.4th 585, 603 (6th Cir. 2022)
- In re Vill. Apothecary, Inc., 45 F.4th 940, 947 (6th Cir. 2022)
- King v. Burwell, 576 U.S. 473, 486 (2015)
- Roberts v. Sea-Land Servs., Inc., 566 U.S. 93, 101 (2012)
- Hing Sum v. Holder, 602 F.3d 1092, 1100–01 (9th Cir. 2010)
- Matter of Pierre, 14 I&N Dec. 467, 468 (BIA 1973)
- Martinez v. Hyde, 792 F. Supp. 3d 211, 218 (D. Mass. July 24, 2025)
- TRW Inc. v. Andrews, 534 U.S. 19, 31 (2001)
- Pulsifer v. United States, 144 S. Ct. 718, 735 (2024)
- Lopez Benitez v. Francis, 2025 WL 2371588, at *7 (S.D.N.Y. Aug. 13, 2025)
- Pizarro Reyes v. Raycraft, 2025 WL 2609425, at *4–5 (E.D. Mich. Sept. 9, 2025)
- Yates v. United States, 574 U.S. 528, 537, 552 (2015)
- Dubin v. United States, 143 S. Ct. 1557, 1567–68 (2023)
- Lopez-Campos v. Raycraft, 2025 WL 2496379, at *4–6, *9 (E.D. Mich. Aug. 29, 2025)
- Matter of Yajure Hurtado, 29 I&N Dec. 216, 229 (BIA 2025)
- Shalala v. Ill. Council on Long Term Care, Inc., 529 U.S. 1, 13 (2000)
- Rodriguez v. Bostock, 779 F. Supp. 3d 1239, 1245 (W.D. Wash. 2025)
- United States v. Silvestre-Gregorio, 983 F.3d 848, 852–56 (6th Cir. 2020)
- Günaydin v. Trump, 784 F. Supp. 3d 1175, 1187 (D. Minn. 2025)
- Hernandez-Lara v. Lyons, 10 F.4th 19, 28 (1st Cir. 2021)
- Velasco Lopez v. Decker, 978 F.3d 842, 851 (2d Cir. 2020)

- Sampiao v. Hyde, 2025 WL 2607924, at *12 (D. Mass. Sept. 9, 2025)
- Braden v. 30th Jud. Cir. Ct. of Ky., 410 U.S. 484, 494–95 (1973)
- Roman v. Ashcroft, 340 F.3d 314, 322, 325–26 (6th Cir. 2003)

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