

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

Angel Jose Becerra-Lugo, proceeding by his next friend Angel De
Jesus Beccera Lugo v. Warden, North Lake Correctional Facility et
al.

Becerra-Lugo v. Warden, North Lake Correctional Facility · No. 1:26-cv-536 · Decided March 12, 2026

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted an ICE detainee's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that detention was governed by 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2)(A), and that the existing detention framework violated the petitioner's Fifth Amendment due process rights. Respondents were ordered to provide a bond hearing within five business days or release the petitioner, and the court dismissed the Department of Homeland Security and ICE as respondents while retaining the Detroit ICE Field Office Director.

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	March 12, 2026
DOCKET	1:26-cv-536
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention; the district court conditionally granted the petition.
STANDARD OF REVIEW	The court reviewed the § 2241 detention challenge and related jurisdictional and statutory questions de novo; no separate standard of review was expressly stated.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Angel Jose Becerra-Lugo v. Warden, North Lake Correctional Facility,
Detroit ICE Field Office Director, Department of Homeland Security,
United States Immigration and Customs Enforcement

TOPICS

immigration detention

removal proceedings

procedural due process

civil procedure

immigration

PRACTICE AREAS

immigration law

habeas corpus

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether Angel De Jesus Beccera Lugo satisfied the requirements to proceed as Petitioner's next friend.
2. Whether prudential exhaustion of administrative remedies should be required or waived before considering Petitioner's § 2241 detention challenge.
3. Whether 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A), governs the detention of a noncitizen who had resided in the United States and was apprehended after being present in the country.
4. Whether Petitioner's detention under § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
5. Whether the Detroit ICE Field Office Director was the proper respondent and whether the Department of Homeland Security and ICE should be dismissed as respondents.

HOLDINGS

1. A putative next friend may proceed in a habeas action when the detainee is unable to litigate personally because of inaccessibility, incompetence, or another disability, and the putative next friend has a significant relationship with and is dedicated to the detainee's best interests. The court held that Petitioner's detention and limited legal resources made the justice system inaccessible and that his brother satisfied the relationship and dedication requirements.
2. The court declined to enforce prudential exhaustion of administrative remedies and alternatively held that waiver of exhaustion was appropriate.
3. Section 1226(a), rather than 8 U.S.C. § 1225(b)(2)(A), governs the detention of a noncitizen who had resided in the United States and was already present in the country when apprehended and arrested.
4. Petitioner's continued detention under the mandatory-detention framework of § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
5. The court retained the Detroit ICE Field Office Director as a respondent and dismissed the Department of Homeland Security and United States Immigration and Customs Enforcement as respondents.

FACTUAL BACKGROUND

Petitioner, a Venezuelan citizen, entered the United States through the Hidalgo, Texas, Port of Entry on March 3, 2024, was charged as inadmissible for lacking required immigration documents, and was released into the United States. He later received employment authorization and had no criminal history. ICE arrested him on September 19, 2025, while he was traveling to work, and he remained detained at the North Lake Processing Center while removal proceedings were pending. His brother sought to litigate the habeas petition as next friend because Petitioner was detained with limited access to legal resources.

PROCEDURAL HISTORY

Petitioner, proceeding through his brother as next friend, filed a § 2241 petition challenging the lawfulness of his ICE detention and requesting release or a bond hearing. The court ordered respondents to show cause, respondents filed a response, and the court permitted the brother to proceed as next friend. The court conditionally granted habeas relief, ordered a bond hearing or immediate release, required a compliance status report, and dismissed the Department of Homeland Security and ICE as respondents.

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, with notice to the parties as soon as practicable and no later than 24 hours before the hearing, or immediately release Petitioner. Respondents must file a status report within six business days certifying compliance and reporting the hearing's outcome and any bond conditions or reasons for denial.

CASES CITED

- Whitmore v. Arkansas, 495 U.S. 149, 155–56, 163–64 (1990)
- West v. Bell, 242 F.3d 338, 341 (6th Cir. 2001)
- Franklin v. Francis, 144 F.3d 429, 432 (6th Cir. 1998)
- Wilson v. Lane, 870 F.2d 1250, 1253 (7th Cir. 1989)
- Weber v. Garza, 570 F.2d 511, 513–14 (5th Cir. 1978)
- Hamdi v. Rumsfeld, 542 U.S. 507, 525 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 687 (2001)
- A. A. R. P. v. Trump, 145 S. Ct. 1364, 1367 (2025)
- Antele Cobix v. Raycraft, No. 1:25-cv-1669, 2025 WL 3562651 (W.D. Mich. Dec. 12, 2025)
- Candela Bastidas v. Noem, No. 1:25-cv-1528, 2025 WL 3562638 (W.D. Mich. Dec. 12, 2025)
- Acuna Sanchez v. Noem, No. 1:25-cv-1442, 2025 WL 3562577 (W.D. Mich. Dec. 12, 2025)
- Penagos Robles v. U.S. Dep't of Homeland Sec., No. 1:25-cv-1578, 2025 WL 3558128 (W.D. Mich. Dec. 12, 2025)
- Buenrostro-Mendez v. Bondi, 166 F.4th 494 (5th Cir. 2026)

OPINION

Angel Jose Becerra-Lugo, proceeding by his next friend Angel De Jesus Beccera Lugo v. Warden, North Lake Correctional Facility et al.

PER CURIAM.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANGEL JOSE BECERRA-LUGO,

proceeding by his next friend ANGEL DE JESUS BECCERA LUGO, Case No. 1:26-cv-536
Petitioner, Honorable Paul L. Maloney v.

WARDEN, NORTH LAKE

CORRECTIONAL FACILITY et al., Respondents. _____/

OPINION

Petitioner, a United States Immigration and Customs Enforcement (ICE) detainee currently detained at the North Lake Processing Center located in Baldwin, Lake County, Michigan, proceeding by his next friend Angel De Jesus Beccera Lugo, filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging the lawfulness of Petitioner’s detention.¹ (Pet., ECF No. 1.) For the following reasons, the Court will conditionally grant Petitioner’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Discussion I. Procedural History In Petitioner’s § 2241 petition, Petitioner challenges the lawfulness of his current detention and asks the Court to, inter alia, assume jurisdiction over this matter and issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241 either ordering Respondents to release Petitioner or ordering 1 As set forth below, the Court will permit Angel De Jesus Beccera Lugo to proceed as next friend of Petitioner in this action. Respondents to conduct a bond hearing to satisfy the requirements of due process. (Pet., ECF No. 1, PageID.2.)² In an order entered on February 20, 2026, the Court directed Respondents to show cause, within three business days, why the writ of habeas corpus and other relief requested by Petitioner should not be granted. (Order, ECF No. 5.) Respondents filed their response on February 25, 2026. (ECF No. 6.) II. Next Friend Status As a preliminary matter, the Court must determine whether Angel De Jesus Beccera Lugo may proceed as “next friend” of Petitioner. A petition for a writ of habeas corpus must be in writing and “signed and verified by the person for whose relief it is intended or by someone acting in [her] behalf,” known as a “next friend.” 28 U.S.C. § 2242; *Whitmore v. Arkansas*, 495 U.S. 149, 163 (1989). “A ‘next friend’ does not [herself] become a party to the habeas corpus action in which [she] participates, but simply pursues the cause on behalf of the detained person, who remains the real party in interest.” *Whitmore*, 495 U.S. at 163 (citations omitted). Next friend status, therefore, is an exception to 28 U.S.C. § 1654, which states: “In all courts of the United States the parties may plead and conduct their own cases personally or by counsel as, by the rules of such courts,

respectively, are permitted to manage and conduct causes therein.” 28 U.S.C. § 1654. To act on a detainee’s behalf, a putative next friend must demonstrate that the detainee is unable to prosecute the case on his or her own behalf due to “inaccessibility, mental incompetence, or other disability” and that the next friend is “truly dedicated to the best interests of the person on 2 In addition to filing the § 2241 petition, Petitioner also filed a motion for emergency relief, seeking expedited review of the case. (ECF No. 2.) As set forth in this opinion, the Court will conditionally grant Petitioner’s § 2241 petition and order Respondents to release Petitioner from custody or to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a). In light of this, the entry of the Court’s opinion and corresponding judgment moots Petitioner’s pending motion. whose behalf he [or she] seeks to litigate.” Whitmore, 495 U.S. at 163–64 (citations omitted); see *West v. Bell*, 242 F.3d 338, 341 (6th Cir. 2001); *Franklin v. Francis*, 144 F.3d 429, 432 (6th Cir. 1998). The Whitmore Court noted that the next friend might demonstrate his or her dedication to the “best interests” of the real party in interest by showing “some significant relationship” with that party. Whitmore, 495 U.S. at 164. The putative next friend must clearly establish “the propriety of his [or her] status” in order to “justify the jurisdiction of the court.” *Id.* (citations omitted). Standing to proceed as next friend on behalf of a prisoner “is by no means granted automatically to whomever seeks to pursue an action on behalf of another.” *Id.* at 163. “[A] next-friend may not file a petition for a writ of habeas corpus on behalf of a detainee if the detainee . . . could file the petition.” *Wilson v. Lane*, 870 F.2d 1250, 1253 (7th Cir. 1989) (citing *Weber v. Garza*, 570 F.2d 511, 513 (5th Cir. 1978)). The putative next friend “must clearly and specifically set forth facts sufficient to satisfy the[] Art[icle] III standing requirements” because “[a] federal court is powerless to create its own jurisdiction by embellishing otherwise deficient allegations of standing.” Whitmore, 495 U.S. at 155–56 (citation omitted). Most significantly, “when the application for habeas corpus filed by a would be ‘next friend’ does not set forth an adequate reason or explanation of the necessity for resort to the ‘next friend’ device, the court is without jurisdiction to consider the petition.” *Weber*, 570 F.2d at 514; see Whitmore, 495 U.S. at 163. In this action, the Court concludes that the petition and attached document adequately demonstrate that the justice system is inaccessible to Petitioner, who is detained in an ICE detention facility with limited legal resources. Moreover, Angel De Jesus Beccera Lugo, Petitioner’s brother, has demonstrated both a significant relationship with Petitioner, and that he is truly dedicated to acting in Petitioner’s best interests. Accordingly, the Court will permit Angel De Jesus Beccera Lugo to proceed as next friend to Petitioner.

III. Factual Background

Petitioner is a native and citizen of Venezuela. (Notice to Appear (NTA), ECF No. 6-2, PageID.69.) Petitioner attempted to enter the United States on January 4, 2024. (Form I-213, ECF No. 6-1, PageID.66.) At that time, Department of Homeland Security (DHS) agents arrested Petitioner, and Petitioner voluntarily returned to Mexico. (*Id.*) On March 3, 2024, Petitioner entered the United States at the Hidalgo, Texas, Port of Entry. (NTA, ECF No. 6-2, PageID.69.) At that time, DHS issued Petitioner a Form I-862, NTA, charging him with inadmissibility pursuant to § 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (INA)

for being “an immigrant who, at the time of application for admission, is not in possession of [valid immigration and travel documents].” (Id., PageID.69, 72.) Petitioner was then released into the United States. (Form I-213, ECF No. 6-1, PageID.66.) Petitioner later received employment authorization and has no criminal history. (Id.; Pet., ECF No. 1, PageID.1.) On September 19, 2025, ICE encountered Petitioner while he was on his way to work, and at that time, ICE took Petitioner into custody. (Pet., ECF No. 1, PageID.2; Form I-213, ECF No. 6-1, PageID.65.) Petitioner is scheduled for an individual hearing before the Detroit Immigration Court on March 19, 2026. (Notice of In-Person Hearing, ECF No. 6-3.)

IV. Habeas Corpus Legal Standard The Constitution guarantees that the writ of habeas corpus is “available to every individual detained within the United States.” *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004) (citing U.S. Const., Art I, § 9, cl. 2). Section 2241 of Title 28 confers the federal courts with the power to issue writs of habeas corpus to persons “in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241. This includes challenges by non-citizens in immigration-related matters. See *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001); see also *A. A. R. P. v. Trump*, 145 S. Ct. 1364, 1367 (2025).

V. Exhaustion Respondents argue that the Court should deny Petitioner’s request for habeas corpus relief because Petitioner has not exhausted his administrative remedies. Specifically, Respondents argue that Petitioner should pursue a bond hearing and, if necessary, appeal any unfavorable decision to the Board of Immigration Appeals. The Court declines to enforce the doctrine of prudential exhaustion against Petitioner, and even if the Court were to conclude that exhaustion is warranted, the Court concludes in the alternative that waiver of exhaustion is appropriate, for the reasons set forth in the Court’s exhaustion analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *2–3 (W.D. Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv- 1528, 2025 WL 3562638, at *2–4 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25- cv-1442, 2025 WL 3562577, at *2–4 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep’t of Homeland Sec.*, No. 1:25-cv-1578, 2025 WL 3558128, at *2–3 (W.D. Mich. Dec. 12, 2025). Accordingly, the Court will proceed to address the merits of Petitioner’s § 2241 petition.

VI. Merits Discussion A. Statutory Basis for Petitioner’s Detention Respondents contend that Petitioner meets every element for detention under § 1225(b)(2), and that the statute’s structure and history support Respondents’ interpretation. 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 for the reasons set forth in the Court’s statutory analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *3–6 (W.D. Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *4–6 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *4–7 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep’t of Homeland Sec.*, No. 1:25-cv-1578, 2025 WL 3558128, at *3–6 (W.D. Mich. Dec. 12, 2025).³

B. Fifth Amendment Due Process Considerations Petitioner argues that his detention violates the Fifth Amendment’s Due

Process Clause. Respondents counter Petitioner's arguments by stating that Petitioner has received notice of the charges against him, has access to counsel, may attend hearings with an immigration judge, has the right to appeal the denial of any request for bond, and has been detained by ICE for a relatively short period of time. The Court concludes that Petitioner's current detention under the mandatory detention framework set forth in § 1225(b)(2)(A) violates Petitioner's Fifth Amendment due process rights for the reasons set forth in the Court's constitutional analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *6–8 (W.D. Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *7–8 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *7–9 (W.D. Mich. Dec. 12, 2025); *Penagos Robles v. U.S. Dep't of Homeland Sec.*, No. 1:25-cv-1578, 2025 WL 3558128, at *6–8 (W.D. Mich. Dec. 12, 2025). VII. Other Claims and Other Forms of Relief Because the Court will conditionally grant Petitioner's § 2241 petition as set forth herein, the Court does not address other claims and other requested relief in Petitioner's § 2241 petition. 3 The Court is aware of *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th Cir. 2026), which was recently issued by the United States Court of Appeals for the Fifth Circuit. At this time, this non-binding case does not change the Court's analysis. VIII. Proper Respondents Respondents argue that the Detroit ICE Field Office Director is the only proper Respondent in this action, and they seek the dismissal of all of the other named Respondents.⁴ In this case, the Court will retain the ICE Detroit Field Office Director as a Respondent. The Court will dismiss the Department of Homeland Security and the United States Immigration and Customs Enforcement as Respondents. Conclusion For the reasons discussed above, the Court will enter a judgment conditionally granting Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 1.) 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 with notice to the Parties as soon as practicable, no later than 24 hours prior to the scheduled hearing, or, in the alternative, immediately release Petitioner from custody.⁵ The Court will also order Respondents to file a status report within six business days of the date of this Court's opinion and judgment to certify compliance with this opinion and the corresponding judgment. The status report shall include if and when the bond hearing occurred, if bond was granted or denied, and if bond was granted, the conditions of the bond, or if bond was denied, the reasons for the denial. Further, the Court will 4 The Court previously dismissed the Warden of North Lake Processing Center as a Respondent. (Order, ECF No. 5.) 5 This Court has adopted a standard practice of requiring such a hearing within five business days, even if the Petitioner requests a deadline that is shorter or longer or only release. dismiss the Department of Homeland Security and the United States Immigration and Customs Enforcement as Respondents. Dated: March 12, 2026 /s/ Paul L. Maloney Paul L. Maloney United States District Judge

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