

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Samuel Cruz Garcia v. Markwayne Mullin, Secretary of the United
States Department of Homeland Security, et al.

Samuel Cruz Garcia v. Markwayne Mullin, No. 1:26-cv-22557-GAYLES (S.D. Fla. Apr. 30, 2026) · No. 1:26-cv-22557-GAYLES · Decided April 30, 2026

SUMMARY

The United States District Court for the Southern District of Florida granted in part Samuel Cruz Garcia’s habeas petition challenging his immigration detention without an individualized bond determination. The Court held that his detention was governed by 8 U.S.C. § 1226(a), rather than § 1225(b)(2), because he had been living in the United States before his arrest, and ordered an individualized bond hearing or release. The Court dismissed the other respondents, declined to reach the remaining claims, and retained jurisdiction.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	April 30, 2026
DOCKET	1:26-cv-22557-GAYLES
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention without an individualized bond determination.
STANDARD OF REVIEW	The court considered whether the petitioner's detention violated the Constitution or laws of the United States under 28 U.S.C. § 2241 and determined the statutory basis for detention de novo as a question of statutory interpretation.
PRECEDENTIAL VALUE	Unpublished federal district court order; nonprecedential
PARTIES	Samuel Cruz Garcia v. Markwayne Mullin, Secretary of the United States Department of Homeland Security, Garrett J. Ripa, Miami Field Office Director of Enforcement and Removal Operations, United States Immigration and Customs Enforcement, United States Department of Homeland Security, Executive Office for Immigration

TOPICS

immigration detention removal proceedings statutory interpretation procedural due process
civil procedure

PRACTICE AREAS

immigration law habeas corpus constitutional law civil procedure

QUESTIONS PRESENTED

1. Whether Garcia was detained under the mandatory-detention provisions of 8 U.S.C. § 1225(b)(2) or the discretionary-detention provisions of 8 U.S.C. § 1226(a).
2. Whether Garcia was entitled to an individualized bond hearing under § 1226(a).
3. Whether the district court should reach Garcia's additional due-process and detention claims after granting relief on the bond-hearing claim.
4. Whether the immediate custodian was the only proper respondent in a habeas challenge to present physical confinement.

HOLDINGS

1. A noncitizen who entered without inspection but lived in the United States for years before being detained, and who was not apprehended while entering the country or shortly thereafter, is detained under § 1226(a), not § 1225(b)(2).
2. Because Garcia was detained under § 1226(a), he was entitled to an individualized bond hearing under that provision.
3. The court declined to reach the merits of Garcia's remaining claims because the requested bond-hearing relief was granted, while allowing him to renew those claims if respondents failed to provide the hearing.
4. The warden of the facility where Garcia was detained was the only proper respondent; the other named respondents were dismissed.

KEY QUOTATIONS

“Those noncitizens are “therefore entitled to a bond hearing.”” (III. ANALYSIS)

“Respondent shall afford Petitioner an individualized bond hearing consistent with 8 U.S.C. § 1226(a) on or before May 13, 2026 or otherwise release Petitioner.” (IV. CONCLUSION)

FACTUAL BACKGROUND

Garcia, a Cuban national, entered the United States without inspection on February 25, 2022, was apprehended by Customs and Border Protection, and was released from ICE custody on an order of recognizance on March 29, 2022. After DHS-initiated removal proceedings were dismissed in December 2025, ICE arrested Garcia during targeted operations in Miami and placed him in expedited removal proceedings. Garcia remained detained at the Krome North Service Processing Center without an individualized bond determination while his removal proceedings continued.

PROCEDURAL HISTORY

Garcia filed a habeas petition challenging his detention at the Krome North Service Processing Center. The district court ordered the respondents to show cause, received an opposition and reply, and granted the petition in part. The court held that Garcia's detention was governed by 8 U.S.C. § 1226(a), ordered an individualized bond hearing or release, dismissed all respondents except the immediate custodian, and retained jurisdiction for possible further proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The respondent was ordered to provide Garcia an individualized bond hearing consistent with 8 U.S.C. § 1226(a) by May 13, 2026, or release him; file a status report by May 23, 2026; and the court retained jurisdiction to address further matters.

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426 (2004)
- *Jackson v. Chatman*, 589 F. App'x 490 (11th Cir. 2014)
- *Munaf v. Geren*, 553 U.S. 674 (2008)
- *Zadvydas v. Davis*, 533 U.S. 678 (2001)
- *Jennings v. Rodriguez*, 583 U.S. 281 (2018)
- *Similien v. Warden, Federal Det. Center, Miami*, No. 26-CV-21739, 2026 WL 900078 (S.D. Fla. Apr. 2, 2026)
- *Chamsadine v. Assistant Field Director Warden*, No. 26-21487-CV, 2026 WL 746400 (S.D. Fla. Mar. 17, 2026)
- *Carvajal Bautista v. U.S. Immigr. & Customs Enf't*, No. 1:26-CV-22191, 2026 WL 925590 (S.D. Fla. Apr. 6, 2026)
- *Aguilar Merino v. Ripa*, No. 25-23845-CIV, 2025 WL 2941609 (S.D. Fla. Oct. 15, 2025)
- *Yajure Hurtado*, 29 I. & N. Dec. 216 (B.I.A. 2025)
- *Cunha v. Freden*, No. 25-3141-pr, 2026 WL 1146044 (2d Cir. Apr. 28, 2026)
- *Buenrostro-Mendez v. Bondi*, 166 F.4th 494 (5th Cir. 2026)
- *Avila v. Bondi*, 170 F.4th 1128 (8th Cir. 2026)
- *Nguyen*, 2025 WL 3451649, at *4

- Lobovillalobos v. Hardin, No. 2:26-cv-00446, 2026 WL 621380 (M.D. Fla. Mar. 5, 2026)
- Hernandez Alvarez v. Warden, Federal Det. Ctr. Miami, et al., No. 25-14065 (11th Cir.)
- Cerro Perez v. Assistant Field Dir., et al., No. 25-14075 (11th Cir.)

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