

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Fulgencio B. v. Lyons

No. 26-cv-395 (ECT/DTS) (D. Minn. Jan. 22, 2026) · No. 26-cv-395 (ECT/DTS) · Decided January 22, 2026

SUMMARY

The United States District Court for the District of Minnesota grants Fulgencio B.'s petition for a writ of habeas corpus challenging his detention under 8 U.S.C. § 1225(b)(2). The court concludes that, because Fulgencio had lived in the United States for many years, he was not subject to mandatory detention under § 1225(b)(2), and that discretionary detention under § 1226(a) requires an arrest warrant. Because Respondents had not produced a warrant or identified another lawful basis for detention, the court orders his release within 48 hours.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Eric C. Tostrud
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	January 22, 2026
DOCKET	26-cv-395 (ECT/DTS)
DISPOSITION	granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, challenging his immigration detention and classification under 8 U.S.C. § 1225(b)(2) rather than § 1226. The district court granted the petition and ordered his release.
STANDARD OF REVIEW	The court resolved the habeas petition through statutory interpretation and review of the undisputed detention record; no separate standard of review was expressly stated.
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Fulgencio B. v. Todd Lyons, in his capacity as Acting Director, Immigration and Customs Enforcement, Kristi Noem, Secretary, U.S. Department of Homeland Security, Pamela Bondi, U.S. Attorney General, Executive Office for Immigration Review, David Easterwood, Field Office Director of St. Paul Field Office for U.S. Department of Homeland Security, United States Immigration and Customs Enforcement, Enforcement and Removal Operations

TOPICS

immigration detention

removal proceedings

statutory interpretation

due process

remedies

PRACTICE AREAS

immigration law

habeas corpus

administrative law

constitutional law

QUESTIONS PRESENTED

1. Whether Fulgencio was improperly classified as subject to mandatory detention under 8 U.S.C. § 1225(b)(2) rather than discretionary detention under 8 U.S.C. § 1226(a).
2. Whether detention under § 1226(a) is lawful absent an arrest warrant issued by the Attorney General.
3. Whether immediate release, rather than a bond hearing or further proceedings, was the appropriate habeas remedy for detention lacking a lawful statutory predicate.

HOLDINGS

1. Because Fulgencio had been living in the United States for approximately 23 years and was not an applicant seeking admission, his detention fell under 8 U.S.C. § 1226 rather than mandatory detention under § 1225(b)(2).
2. An arrest warrant issued by the Attorney General is a necessary condition for discretionary detention under 8 U.S.C. § 1226(a); absent such a warrant, a noncitizen may not be arrested and detained under that provision.
3. Immediate release was an available and appropriate remedy because Respondents had not identified a valid statutory basis for Fulgencio's detention.

KEY QUOTATIONS

“As courts have explained, the former statute applies to applicants “seeking admission,” and the latter to “aliens already in the country.”” (at 2)

““Issuance of a warrant is a necessary condition to justify discretionary detention under section 1226(a).”” (at 4)

““[R]elease is an available and appropriate remedy” for “detention that lacks a lawful predicate.”” (at 5)

“Habeas is at its core a remedy for unlawful executive detention. The typical remedy for such detention is, of course, release.” (at 6)

FACTUAL BACKGROUND

Fulgencio B., a Mexican citizen who had lived in the United States since 2002, was arrested by alleged ICE agents in Minnesota on January 10, 2026. He had no notice to appear, had never been placed in removal proceedings, had no prior removal order, and had not voluntarily departed. He was detained at the Fort Snelling Immigration Court Detention Facility, although he was also receiving emergency medical care at a hospital. Respondents did not produce an arrest warrant preceding his detention.

PROCEDURAL HISTORY

Fulgencio filed a § 2241 petition alleging that he had been improperly classified as subject to mandatory detention under § 1225(b)(2) and denied a bond hearing. The case was consolidated with an earlier habeas case filed on his behalf. Respondents did not produce an arrest warrant or advance a specific argument against release. The court held that Fulgencio was subject to § 1226 rather than § 1225(b)(2), and ordered his release within 48 hours.

DISPOSITION

granted

CASES CITED

- Jose J.O.E. v. Bondi, 797 F. Supp. 3d 957, 961-62 (D. Minn. 2025)
- Jennings v. Rodriguez, 583 U.S. 281, 289 (2018)
- Francisco T. v. Bondi, 797 F. Supp. 3d 970, 974-76 (D. Minn. 2025)
- Belsai D.S. v. Bondi, No. 25-cv-3682 (KMM/EMB), 2025 WL 2802947, at *6-7 (D. Minn. Oct. 1, 2025)
- Eliseo A.A. v. Olson, No. 25-cv-3381 (JWB/DJF), 2025 WL 2886729, at *2-4 (D. Minn. Oct. 8, 2025)
- Avila v. Bondi, No. 25-cv-3741 (JRT/SGE), 2025 WL 2976539, at *5-7 (D. Minn. Oct. 21, 2025)
- Andres R.E. v. Bondi, No. 25-cv-3946 (NEB/DLM), 2025 WL 3146312, at *2-3 (D. Minn. Nov. 4, 2025)
- E.M. v. Noem, 25-cv-3975 (SRN/DTS), 2025 WL 3157839, at *4-8 (D. Minn. Nov. 12, 2025)
- Santos M.C. v. Olson, No. 25-cv-4264 (PJS/DJF), 2025 WL 3281787, at *2-3 (D. Minn. Nov. 25, 2025)
- Fernando F.P.D. v. Brott, No. 25-cv-4455 (ECT/ECW), 2025 WL 3675151, at *2 (D. Minn. Dec. 17, 2025)
- Castañon-Nava v. U.S. Dep't of Homeland Sec., 161 F.4th 1048 (7th Cir. 2025)
- Chogllo Chafila v. Scott, No. 2:25-cv-00437, 2025 WL 2688541, at *11 (D. Me. Sept. 21, 2025)
- Chiliquinga Yumbillo v. Stamper, No. 2:25-cv-00479, 2025 WL 2783642, at *5 (D. Me. Sept. 30, 2025)
- J.A.C.P. v. Wofford, No. 1:25-cv-01354, 2025 WL 3013328, at *8 (E.D. Cal. Oct. 27, 2025)
- Florida v. United States, 660 F. Supp. 3d 1239, 1276 (N.D. Fla. 2023)
- Vedat C. v. Bondi, No. 25-cv-4642 (JWB/DTS), Order on Petition for Writ of Habeas Corpus at 6 (D. Minn. Dec. 19, 2025)
- Munaf v. Geren, 553 U.S. 674, 693 (2008)