

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Grigoryan v. English

Grigoryan v. English · No. 3:26-CV-417-CCB-SJF · Decided May 14, 2026

SUMMARY

The United States District Court for the Northern District of Indiana granted Andranik Grigoryan’s 28 U.S.C. § 2241 habeas petition challenging his continued immigration detention after a final removal order. Applying *Zadvydas v. Davis*, the court held that the government had not shown that Grigoryan’s removal to Uzbekistan was reasonably foreseeable and ordered his release subject to appropriate conditions of supervised release.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Cristal C. Brisco
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	May 14, 2026
DOCKET	3:26-CV-417-CCB-SJF
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging post-removal-order immigration detention; the respondent answered, and the petitioner declined to file a reply.
STANDARD OF REVIEW	The court reviewed the § 2241 detention challenge and determined whether continued detention was authorized by 8 U.S.C. § 1231 and whether removal was reasonably foreseeable under <i>Zadvydas v. Davis</i> .
PRECEDENTIAL VALUE	unpublished district court opinion
PARTIES	Andranik Grigoryan v. Brian English

TOPICS

- federal habeas corpus
- immigration detention
- removal proceedings
- deportation
- immigration

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court had subject-matter jurisdiction under 28 U.S.C. § 2241 to review Grigoryan's post-removal-order immigration detention despite 8 U.S.C. §§ 1252(g) and 1252(b)(9).
2. Whether continued detention under 8 U.S.C. § 1231 was lawful when Grigoryan had been detained for more than six months after the removal order became final and the government had not shown that removal was reasonably foreseeable.

HOLDINGS

1. The court had jurisdiction under § 2241 to review Grigoryan's challenge to his post-removal-order immigration detention; 8 U.S.C. §§ 1252(g) and 1252(b)(9) did not divest the court of jurisdiction over this detention claim.
2. Under 8 U.S.C. § 1231, continued detention after the removal period is authorized only for covered noncitizens and only while removal is reasonably foreseeable. When a detainee has provided good reason to believe that removal is not significantly likely in the reasonably foreseeable future, the government must produce evidence sufficient to rebut that showing.
3. Because the respondent failed to establish that Grigoryan's removal was reasonably foreseeable, the court was required to grant habeas relief and order his release subject to appropriate conditions of supervised release.

KEY QUOTATIONS

“once removal is no longer reasonably foreseeable, continued detention is no longer authorized by statute.”
(Merits)

“After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” (Merits)

FACTUAL BACKGROUND

Grigoryan, a citizen of Uzbekistan who entered the United States in 1999, was convicted in federal court in 2022 of possessing unauthorized access devices. He entered immigration detention in December 2023, and an immigration judge ordered him removed to Uzbekistan in April 2025; the Board of Immigration Appeals dismissed his appeal in September 2025. After more than six months of post-removal-order detention, the government had not obtained travel documents and offered only a vague representation that it was working to secure them.

PROCEDURAL HISTORY

Grigoryan filed a § 2241 habeas petition alleging that his immigration detention was unlawful. The respondent answered and argued that the court lacked jurisdiction and that detention was authorized under 8 U.S.C. § 1231.

The court rejected the jurisdictional challenge, found that removal was not reasonably foreseeable, granted the petition, and ordered Grigoryan released subject to appropriate conditions of supervised release.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

No remand was ordered. The respondent was ordered to release Grigoryan on appropriate conditions of supervised release and to certify compliance by filing a notice by May 18, 2026. The clerk was directed to email the order to the warden of the Miami Correctional Facility to secure release.

CASES CITED

- Liang v. English, No. 3:25CV1052 DRL-SJF, 2026 WL 835853, at *1 (N.D. Ind. Mar. 26, 2026)
- Pho v. Noem, No. 3:25-CV-977-CCB-SJF, 2025 WL 3750684, at *1-*4 (N.D. Ind. Dec. 29, 2025)
- Zadvydas v. Davis, 533 U.S. 678, 689, 699-701 (2001)

OPINION

Grigoryah

PER CURIAM.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF INDIANA

SOUTH BEND DIVISION

ANDRANIK GRIGORYAN,

Petitioner,

v. CAUSE NO. 3:26-CV-417-CCB-SJF

BRIAN ENGLISH,

Respondent.

OPINION AND ORDER

Immigration detainee Andranik Grigoryan, representing himself, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241, alleging that he is unlawfully confined in violation of the laws or Constitution of the United States. ECF 1. The respondent has answered the petition, and Grigoryan has informed the court that he declines to file a reply. ECF 7, ECF 10. The petition is ready to be decided.

BACKGROUND

Grigoryan is a citizen of Uzbekistan who entered the United States in 1999. ECF 7-1 at 2-5. On September 15, 2022, he was convicted of possessing unauthorized access devices in federal court. Id. On December 7, 2023, he entered immigration detention. ECF 1 at 4. On April 16, 2025, an immigration judge ordered him removed to Uzbekistan. ECF 7-1 at 8-14. Grigoryan appealed the

removal order, but the Board of Immigration Appeals dismissed it on September 19, 2025. ECF 7-2. He is currently held at the Miami Correctional Facility. ECF 1 at 1. On April 15, 2026, the respondent filed a status report representing that the government had not obtained travel documents for Grigoryan and that it was unlikely that he would be removed within thirty days. ECF 5. In the response brief, the respondent represents that the government is working to secure travel documents from Uzbekistan. ECF 7 at 3.

SUBJECT MATTER JURISDICTION

The respondents first argue that the court lacks subject matter jurisdiction over Grigoryan's habeas petition under 8 U.S.C. § 1252(g) and § 1252(b)(9). This court has thoroughly considered its jurisdiction to review post-removal-order immigration detention. For the reasons previously stated, jurisdiction is secure. See *Liang, v. English*, No. 3:25CV1052 DRL-SJF, 2026 WL 835853, at *1 (N.D. Ind. Mar. 26, 2026) (Leichty, J.); *Pho v. Noem*, No. 3:25-CV-977-CCB-SJF, 2025 WL 3750684, at *1-*4 (N.D. Ind. Dec. 29, 2025) (Brisco, J.) (discussing § 1252(g)).

MERITS

Regarding the merits of the petition, the respondent first argues that Grigoryan's detention is lawful under 8 U.S.C. § 1231 because the statute authorizes detention pending execution of a removal order. However, beyond the "removal period,"¹ which for Grigoryan ended in December 2025, continued detention is authorized only for certain noncitizens delineated in § 1231(a)(6) and only as long as removal is reasonably foreseeable. 1 The removal period begins on the latest of three events: (1) the date the removal order becomes administratively final, (2) the date of a reviewing court's final order if the noncitizen seeks judicial review and the court orders a stay of removal, or (3) upon the noncitizen's release from non-immigration detention or confinement. 8 U.S.C. § 1231(a)(1)(B). foreseeable. See *Zadvydas v. Davis*, 533 U.S. 678, 699 (2001) ("[O]nce removal is no longer reasonably foreseeable, continued detention is no longer authorized by statute."). The Supreme Court has instructed that once removal is not reasonably foreseeable, "the court should hold continued detention unreasonable and no longer authorized by statute," though any release "may and should be conditioned on any of the various forms of supervised release that are appropriate in the circumstances, and the alien may no doubt be returned to custody upon a violation of those conditions." *Id.* at 699–700. In *Zadvydas*, the Supreme Court adopted a "presumptively reasonable period of detention" of six months in recognition of the Executive Branch's primary responsibility in foreign policy matters and the sometimes sensitive nature of repatriation negotiations that may call for difficult judgments regarding whether removal is reasonably foreseeable. *Zadvydas*, 533 U.S. at 689. "After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing." *Id.* at 701. Because Grigoryan has been in detention for longer than six months, the court turns to whether his removal is reasonably foreseeable. To start, the respondent identifies Uzbekistan as the only country under consideration for removal. Grigoryan offers little to suggest that Uzbekistan

will refuse to facilitate his removal. He represents that Uzbekistan will not issue travel documents because it cannot locate him within governmental records, but he does not explain the circumstances of how he discovered this information, nor does he provide any indication that the representation amounts to more than speculation. Nevertheless, Grigoryan's period of post-removal order detention now spans eight months with no substantial indication that the government has taken any measures to execute his removal to Uzbekistan. The court finds that this showing constitutes good reason to believe that there is no significant likelihood of Grigoryan's removal in the reasonably foreseeable future. To rebut this showing, the respondent offers only a vague representation that the government is working to secure travel documents from Uzbekistan. This meager showing does not persuade the court that Grigoryan's removal is likely to occur within the reasonably foreseeable future. It does not explain why a request for travel documents has not been submitted to Uzbekistan after eight months of detention. It does not suggest that the government is in the process of preparing a formal request or any basis for the delay in submitting such a request. It does not provide any insight as to when Uzbekistan might reach a decision once a formal request has been submitted or the likelihood that Uzbekistan will issue travel documents. Consequently, the court finds that the respondent has not adequately demonstrated that Grigoryan's removal is reasonably foreseeable. Therefore, the respondent must release Grigoryan. For these reasons, the court:

(1) GRANTS the petition for writ of habeas corpus (ECF 1) and ORDERS the respondent to release Andranik Grigoryan on appropriate conditions of supervised release and to certify compliance with this order by filing a notice with the court by May 18, 2026; and

(2) DIRECTS the clerk to email a copy of this order to the Warden of the Miami Correctional Facility at the Indiana Department of Correction to secure his release. SO ORDERED on May 14, 2026. /s/Cristal C. Brisco

CRISTAL C. BRISCO, JUDGE

UNITED STATES DISTRICT COURT