

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

Carlos David Guaira Utrera v. Jim Arnott, et al.

Guaira Utrera v. Arnott · No. 6:26-cv-3051-MDH · Decided February 10, 2026

SUMMARY

The United States District Court for the Western District of Missouri granted Carlos David Guaira Utrera's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that DHS revoked his immigration parole without demonstrating a sufficient change in circumstances or providing constitutionally adequate procedural protections, and ordered his immediate release subject to his prior parole conditions.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri, Southern Division
WRITING FOR THE COURT	Douglas Harpool
JURISDICTION	United States District Court for the Western District of Missouri, Southern Division
DECIDED	February 10, 2026
DOCKET	6:26-cv-3051-MDH
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and revocation of parole without prior written notice. The district court granted the petition, ordered immediate release subject to the conditions of preexisting parole, and enjoined respondents from relocating petitioner outside the court's jurisdiction before complying with the order.
STANDARD OF REVIEW	The court applied the procedural due process framework requiring a constitutionally protected liberty or property interest and denial of adequate procedural protections. For the requested temporary restraining order, the court applied the Dataphase four-factor test.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Carlos David Guaira Utrera v. Jim Arnott, Secretary of the Department of Homeland Security, Acting Field Office Director for ICE Chicago,

TOPICS

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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 allegedly unlawful immigration detention.
2. Whether revoking petitioner's parole and detaining him without prior written notice, a meaningful opportunity to be heard, a sufficient change in circumstances, or individualized legal justification violated procedural due process.
3. Whether limited injunctive relief was appropriate to prevent respondents from relocating petitioner outside the district before complying with the release order.
4. Whether petitioner could pursue attorneys' fees and costs under the Equal Access to Justice Act.

HOLDINGS

1. The jurisdiction-stripping provisions in 8 U.S.C. §§ 1252(e)(3), 1252(g), and 1252(b)(9) did not deprive the district court of jurisdiction because petitioner challenged the lawfulness of his detention, not the validity of a statute, regulation, written policy, removal order, or removal decision.
2. The government violated petitioner's procedural due process rights by revoking his parole and detaining him without prior notice, a meaningful opportunity to be heard, a sufficient change in circumstances, or individualized legal justification.
3. A limited temporary restraining order was appropriate to prevent respondents from relocating petitioner outside the district before complying with the release order.
4. Petitioner may pursue reasonable attorneys' fees and costs under the Equal Access to Justice Act because he prevailed and the government's position was not substantially justified, subject to statutory eligibility and application requirements.

KEY QUOTATIONS

"Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the [Due Process] Clause protects." (Discussion II)

"The essence of due process is the requirement that 'a person in jeopardy of a serious loss [be given] notice of the case against him and the opportunity to meet it.'" (Discussion II)

"In the immigration context, 'the Constitution requires the government to afford notice of any action against an alien [and] requires an opportunity for the alien to be heard. [] The opportunity to be heard must be

meaningful, that is, an opportunity granted at a meaningful time and in a meaningful manner.”” (Discussion II)

FACTUAL BACKGROUND

Petitioner is a native and citizen of Venezuela who entered the United States in July 2022, had no criminal record, and was in removal proceedings before the Kansas City Immigration Court with an asylum application pending. He had previously been paroled into the United States. On October 31, 2025, ICE detained him while he was working as a landscaper and revoked his parole without prior written notice or an identified material change in circumstances. The court found no evidence that petitioner was a flight risk or that his conduct supplied an individualized legal justification for changing his parole status.

PROCEDURAL HISTORY

Petitioner, a Venezuelan citizen detained by ICE during pending removal proceedings, filed a verified § 2241 habeas petition seeking release or a hearing. Respondents argued that statutory provisions governing judicial review of removal matters deprived the district court of jurisdiction and that petitioner was not entitled to consideration for release. The court rejected the jurisdictional arguments, found that parole had been revoked without a sufficient change in circumstances or individualized justification and without adequate procedural protections, granted habeas relief, ordered immediate release, and issued limited injunctive relief against relocation.

DISPOSITION

writ_granted

CASES CITED

- Munoz Materano v. Arteta, 2025 WL 2630826, at *10 (S.D.N.Y. Sept. 12, 2025)
- Mata Velasquez v. Kurzdorfer, No. 25-CV-493-LJV, 2025 U.S. Dist. LEXIS 135986, 2025 WL 1953796, at *7 (W.D.N.Y. July 16, 2025)
- Hernandez-Cuevas v. Olson, No. 4:25-cv-00830-BP, at 3 (W.D. Mo. Nov. 5, 2025)
- Cifuentes Rivera v. Arnott, et al., 25-cv-00570-RK1, Doc. 19 at 7 (W.D. Mo. Oct. 7, 2025)
- Buenrostro-Mendez v. Bondi, Case No. 25-20496 (5th Cir. Feb. 6, 2026)
- Sanchez v. LaRose, 2025 U.S. Dist. LEXIS 190593, at *6-*9
- Miranda v. City of Casa Grande, 15 F.4th 1219, 1225 (9th Cir. 2021)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)
- Hernandez v. Sessions, 872 F.3d 976, 981
- Alegria Palma v. LaRose, No. 25-cv-1942, ECF No. 14 (S.D. Cal. Aug. 11, 2025)
- Mathews v. Eldridge, 424 U.S. 319, 348 (1976)
- Joint Anti-Fascist Committee v. McGrath, 341 U.S. 123, 171-172 (1951) (Frankfurter, J., concurring)
- Ying Fong v. Ashcroft, 317 F. Supp. 2d 398, 403 (S.D.N.Y. 2004)

- Mohammed H. v. Trump, No. 25-1576 (JWB/DTS), 2025 U.S. Dist. LEXIS 117197, 2025 WL 1692739, at *5 (D. Minn. June 17, 2025)
- Matter of Sugay, 17 I. & N. Dec. 637, 640 (BIA 1981)
- Ortega v. Bonnar, 415 F. Supp. 3d 963, 968 (N.D. Cal. 2019)
- Dataphase Systems, Inc. v. C L Systems, Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc)
- Calvin Klein Cosmetics Corp. v. Lenox Laboratories, Inc., 815 F.2d 500, 503 (8th Cir. 1987)
- Commissioner, I.N.S. v. Jean, 496 U.S. 154, 163 (1990)
- Boudin v. Thomas, 732 F.2d 1107, 1114 (2d Cir. 1984)

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