

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
KENTUCKY, OWENSBORO DIVISION

Jistzmar Arroyo Rodriguez v. Jason Woosley, Jailer, Grayson County
Jail; Samuel Olson, Interim Field Office Director, Chicago Field
Office, U.S. Immigration and Customs Enforcement

Civil Action No. 4:25-cv-168-RGJ (W.D. Ky. Jan. 6, 2026) · No. Civil Action No. 4:25-cv-168-RGJ · Decided
January 6, 2026

SUMMARY

The United States District Court for the Western District of Kentucky considers Jistzmar Arroyo Rodriguez’s petition for a writ of habeas corpus challenging her immigration detention. The court concludes that 8 U.S.C. § 1226, rather than § 1225, governs her detention because she was already present in the United States, was in regular removal proceedings, and was arrested under a Form I-200 warrant. The court grants the petition and requires the process to which she is entitled under § 1226, including a bond hearing before an immigration judge.

CASE DETAILS

COURT	United States District Court for the Western District of Kentucky, Owensboro Division
JURISDICTION	United States District Court for the Western District of Kentucky, Owensboro Division
DECIDED	January 6, 2026
DOCKET	Civil Action No. 4:25-cv-168-RGJ
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking release or a bond hearing.
STANDARD OF REVIEW	The court reviewed its jurisdiction under 28 U.S.C. § 2241 and assessed the legality of civil detention under the three-factor procedural due process balancing test from Mathews v. Eldridge.
PRECEDENTIAL VALUE	unpublished district court opinion; persuasive but not controlling precedent

PARTIES

Jistzmar Arroyo Rodriguez v. Jason Woosley, Jailer, Grayson County Jail, Samuel Olson, Interim Field Office Director, Chicago Field Office, U.S. Immigration and Customs Enforcement

TOPICS

immigration detention

removal proceedings

mandamus immigration

statutory interpretation

procedural due process

PRACTICE AREAS

immigration law

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QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(b)(9) deprived the district court of jurisdiction over Rodriguez's habeas challenge to her immigration detention.
2. Whether Rodriguez, a noncitizen who had been present in the United States for more than two years and was in regular removal proceedings, was subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) or the discretionary detention and bond-hearing framework of 8 U.S.C. § 1226(a).
3. Whether Rodriguez's continued detention without an individualized merits bond hearing violated the Fifth Amendment Due Process Clause and the INA.
4. Whether release and a bond hearing before a neutral immigration judge were appropriate remedies.

HOLDINGS

1. Section 1252(b)(9) did not bar jurisdiction because Rodriguez challenged the statutory and constitutional validity of her detention rather than an order of removal, the decision to seek removal, or the process by which removability would be determined.
2. Section 1226, not § 1225(b)(2)(A), governed Rodriguez's detention because she had been present in the United States for more than two years, was in regular removal proceedings, was not presently seeking admission, and had been arrested under a Form I-200 warrant authorized by § 1226.
3. Rodriguez's continued detention without an individualized merits bond hearing violated the Fifth Amendment Due Process Clause and the INA.
4. The court ordered Rodriguez's release because of the unlawful detention and required the government to provide a bond hearing on the merits before a neutral immigration judge before any redetention.

KEY QUOTATIONS

“In sum, based upon the statutory context and relationship between Section 1225 and Section 1226, and most importantly the text, the Court finds it difficult to read a noncitizen who is “seeking admission” when the individual never attempted to “seek” admission pursuant to Section 1225(b)(2)(A).” (IV.A.2)

“A re-detention, without any individualized assessment, leads to a high risk of erroneous deprivation of an individual’s liberty interest.” (IV.B)

“Habeas has traditionally been a means to secure release from unlawful detention.” (V)

“The United States is directed to release Petitioner Rodriguez because of the unlawful detention in violation of her due process rights.” (VI)

FACTUAL BACKGROUND

Rodriguez, a native and citizen of Venezuela, entered the United States without inspection in approximately May 2023 and was placed in regular removal proceedings. She was initially paroled for one year and later obtained Temporary Protected Status, which was terminated in October 2025. ICE arrested and detained her on October 29, 2025, using a Form I-200 warrant invoking INA § 236, while she had no criminal or civil charges and had complied with ICE requirements. She had not received a merits bond hearing before an immigration judge.

PROCEDURAL HISTORY

Rodriguez, a Venezuelan citizen in regular removal proceedings, was detained by ICE under a Form I-200 warrant citing INA § 236, codified at 8 U.S.C. § 1226. She filed a habeas petition arguing that the government improperly subjected her to mandatory detention under § 1225 rather than the discretionary detention and bond-hearing framework of § 1226, and that her continued detention violated the Fifth Amendment. Respondents opposed the petition, arguing lack of jurisdiction, proper detention under § 1225, and satisfaction of due process. The parties agreed that no evidentiary hearing was necessary. The district court granted the petition.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The United States must release Rodriguez because of the unlawful detention, provide her with a bond hearing before a neutral immigration judge pursuant to § 1226, and immediately certify compliance by filing on the docket. Any redetention must occur only after the required merits bond hearing.

CASES CITED

- Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 377 (1994)
- Zadvydas v. Davis, 533 U.S. 678, 688, 690 (2001)
- DHS v. Regents of the Univ. of Cal., 591 U.S. 1, 19, 22 (2020)
- Jennings v. Rodriguez, 583 U.S. 281, 288-89, 294-95, 301 (2018)
- Reno v. American-Arab Anti-Discrimination Comm., 525 U.S. 471, 482 (1999)
- In re Vill. Apothecary, Inc., 45 F.4th 940, 947 (6th Cir. 2022)
- Roberts v. Sea-Land Servs., Inc., 566 U.S. 93, 101 (2012)
- Loper Bright Enterprises v. Raimondo, 603 U.S. 369, 400, 413 (2024)

- TRW Inc. v. Andrews, 534 U.S. 19, 31 (2001)
- United States v. Taylor, 596 U.S. 845, 857 (2022)
- Castañon-Nava v. Department of Homeland Security, 2025 WL 3552514, at *9 (7th Cir. Dec. 11, 2025)
- Pizarro Reyes v. Raycraft, 2025 WL 2609425, at *5
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- A.A.R.P. v. Trump, 605 U.S. 91, 94 (2025)
- Hamdi v. Rumsfeld, 542 U.S. 507, 529 (2004)
- Rodriguez v. Bostock, 779 F. Supp. 3d 1239, 1247 (W.D. Wash. 2025)
- Aroldo Rodriguez Diaz v. Merrick Garland, Rodriguez Disa v. Garland, 53 F.4th 1189, 1197 (9th Cir. 2022)
- Edahi v. Lewis, 2025 WL 3466682, at *3, *9-13 (W.D. Ky. Nov. 27, 2025)
- Alonso v. Tindall, 2025 WL 3083920, at *2, *5, *9 (W.D. Ky. Nov. 4, 2025)
- Maldonado v. Olson, 2025 WL 2374411, at *12 (D. Minn. Aug. 15, 2025)
- Roman v. Olson, 2025 WL 3268403, at *4 (E.D. Ky. Nov. 24, 2025)
- Black v. Decker, 103 F.4th 133, 149-50 (2d Cir. 2024)

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