

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, LAREDO DIVISION

Luis Angel Cobarrubias Lopez v. Rio Grande Processing Center, et al.

Cobarrubias Lopez · No. 5:26-CV-00209 · Decided March 2, 2026

SUMMARY

The court grants Luis Angel Cobarrubias Lopez’s petition for a writ of habeas corpus under 28 U.S.C. § 2241, finding that his detention by immigration authorities without an individualized assessment of flight risk and dangerousness violated the Fifth Amendment Due Process Clause. The court orders his immediate release under reasonable conditions, requires advance notice and a release status report, and establishes safeguards if he is redetained.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Laredo Division
WRITING FOR THE COURT	Diana Saldaña
JURISDICTION	United States District Court for the Southern District of Texas, Laredo Division
DECIDED	March 2, 2026
DOCKET	5:26-CV-00209
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 challenging his detention by immigration authorities. The court ordered Respondents to show cause and respond; Respondents failed to respond, and the court treated the petition as unopposed.
STANDARD OF REVIEW	The court reviewed the § 2241 detention challenge and applied procedural due process principles to determine whether mandatory detention without an individualized assessment of flight risk and dangerousness was lawful.
PRECEDENTIAL VALUE	District court order; persuasive only outside the case and not binding precedent beyond the parties.
PARTIES	Luis Angel Cobarrubias Lopez v. Rio Grande Processing Center, et al.

TOPICS

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QUESTIONS PRESENTED

1. Whether detention under 8 U.S.C. § 1225(b)(2) of a noncitizen who previously entered the United States without inspection and has established substantial ties to the United States violates the Fifth Amendment Due Process Clause when imposed without an individualized assessment of flight risk and dangerousness.
2. Whether immediate release with reasonable conditions and safeguards against redetention was an appropriate remedy for the due process violation.

HOLDINGS

1. Because Petitioner previously entered the United States without inspection but established ties through his residency, the Fifth Amendment Due Process Clause guarantees him an individualized assessment of flight risk and dangerousness and an opportunity to respond before ICE detention.
2. Because Petitioner's detention violated the Fifth Amendment Due Process Clause, he was entitled to equitable relief consisting of immediate release from custody under reasonable conditions, with safeguards governing any redetention.

KEY QUOTATIONS

“the Due Process Clause of the Fifth Amendment guarantees Petitioner an individualized assessment of his flight risk and dangerousness and an opportunity to respond prior to detention by ICE.” (at 3)

“Thus, the Court holds that because Petitioner’s detention violates his rights under the Due Process Clause of the Fifth Amendment, he is entitled to equitable relief and that the appropriate remedy is Petitioner’s immediate release from custody with additional safeguards against redetention.” (at 3)

FACTUAL BACKGROUND

Luis Angel Cobarrubias Lopez, a 34-year-old citizen of Mexico, entered the United States in 2009 and had lived and worked in the United States for approximately 16 years. He had a pending asylum application, an employment authorization document, and a five-month-old United States citizen child. After he was detained at a Customs and Border Protection checkpoint in January 2026, he remained detained at the Rio Grande Processing Center and challenged his detention.

PROCEDURAL HISTORY

Petitioner filed a petition for writ of habeas corpus on February 12, 2026, challenging mandatory detention under 8 U.S.C. § 1225(b)(2) and asserting a Fifth Amendment due process violation. The court ordered Respondents to

respond by February 20, 2026, but they did not respond. Relying on its prior analysis in *Bonilla Chicas v. Warden* and related district court decisions, the court granted the petition and ordered Petitioner's immediate release under reasonable conditions.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents were ordered to release Petitioner immediately under reasonable conditions, submit a status report confirming release within 24 hours, and provide advance notice to Petitioner's counsel. If Petitioner is redetained, Respondents must follow applicable regulations and procedures and provide an individualized assessment of flight risk and dangerousness. The parties were also ordered to file advisories concerning whether they opposed entry of a final judgment.

CASES CITED

- *Buenrostro-Mendez v. Bondi*, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- *Bonilla Chicas v. Warden*, 5:26-cv-00131, Dkt. No. 11 (S.D. Tex. Feb. 20, 2026)
- *Vieira v. De Anda-Ybarra*, 2025 WL 2937880 (W.D. Tex. Oct. 16, 2025)
- *Lopez-Arevelo v. Ripa*, 801 F. Supp. 3d 668 (W.D. Tex. 2025)
- *Hernandez-Fernandez v. Lyons*, 2025 WL 2976923 (W.D. Tex. Oct. 21, 2025)
- *Marceau v. Noem et al.*, 2026 WL 368953 (W.D. Tex. Feb. 9, 2026)
- *Clemente Ceballos v. Garite*, 3:26-cv-00312-DB (W.D. Tex. Feb. 10, 2026)