

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

Meles Abreha Fetwi v. Kevin Raycraft et al.

Fetwi · No. 1:26-cv-602 · Decided March 18, 2026

SUMMARY

The court denied without prejudice as premature a detained Eritrean national’s petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging detention under 8 U.S.C. § 1231. The court concluded that the petitioner had not been detained for the six-month presumptively reasonable period recognized in *Zadvydas v. Davis* and had not shown that his removal was not reasonably foreseeable. The court retained the Detroit ICE Field Office Director and the Acting Secretary of Homeland Security as respondents and dismissed the United States Attorney General.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Hala Y. Jarbou
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	March 18, 2026
DOCKET	1:26-cv-602
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner brought a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and seeking release. The court denied the petition without prejudice as premature and dismissed the United States Attorney General as a respondent.
STANDARD OF REVIEW	The court reviewed the legality of petitioner’s detention under 28 U.S.C. § 2241 and considered whether the claim was ripe under the framework established in <i>Zadvydas v. Davis</i> .
PRECEDENTIAL VALUE	unpublished district court opinion; persuasive authority only

PARTIES

Meles Abreha Fetwi v. Kevin Raycraft, Acting Secretary for the Department of Homeland Security, Detroit ICE Field Office Director, United States Attorney General

TOPICS

immigration detention

removal proceedings

immigration

civil procedure

PRACTICE AREAS

immigration law

habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether petitioner's challenge to his detention under 8 U.S.C. § 1231 was ripe before he had been detained for six months after his re-arrest.
2. Whether petitioner overcame the presumptively reasonable period of detention by showing that his removal was not reasonably foreseeable.
3. Whether the Detroit ICE Field Office Director was the only proper respondent in the habeas action.
4. Whether the United States Attorney General should remain as a respondent.

HOLDINGS

1. A challenge to detention under 8 U.S.C. § 1231 is not ripe before the end of the presumptively reasonable six-month detention period unless the detainee shows that removal is not reasonably foreseeable.
2. Petitioner did not overcome the presumption of reasonable detention because the record did not show that his removal to Eritrea was not reasonably foreseeable.
3. The Detroit ICE Field Office Director was not the only proper respondent; the court retained that official and the Acting Secretary for Homeland Security to ensure that its orders would bind an official able to act if petitioner were transferred, while dismissing the United States Attorney General.

KEY QUOTATIONS

“Indeed, the record also reflects that ERO is actively seeking travel documents to effect Petitioner’s removal to Eritrea.” (Discussion IV)

“For the reasons discussed above, the Court will enter a judgment denying Petitioner’s petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, without prejudice, as premature.” (Conclusion)

FACTUAL BACKGROUND

Petitioner, an Eritrean national admitted to the United States as a refugee in 2009, later obtained adjustment of status and committed multiple petty or non-felony offenses. An immigration judge ordered him removed to Eritrea in February 2023, and the order became final in March 2023. After a period of release under supervision,

petitioner was arrested for violating the supervision conditions and was taken into ICE custody on January 10, 2026. ICE later revoked his release after his failure to report and his subsequent arrests or convictions, while the record showed that immigration officials were actively seeking travel documents for his removal.

PROCEDURAL HISTORY

Petitioner filed the § 2241 petition on February 23, 2026. The court ordered respondents to show cause, respondents filed a response, and petitioner did not reply. The court denied the petition without prejudice because petitioner had not been detained for six months and had not shown that his removal was not reasonably foreseeable; it also dismissed the United States Attorney General as a respondent while retaining the Detroit ICE Field Office Director and the Acting Secretary for Homeland Security.

DISPOSITION

other

CASES CITED

- Hamdi v. Rumsfeld, 542 U.S. 507, 525 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 687 (2001)
- A. A. R. P. v. Trump, 145 S. Ct. 1364, 1367 (2025)
- Zadvydas v. Davis, 533 U.S. 678, 699-701 (2001)
- Johnson v. Arteaga-Martinez, 596 U.S. 573, 576 (2022)
- Munoz-Saucedo v. Pittman, 789 F. Supp. 3d 387, 395-97 (D.N.J. 2025)
- Ali v. Dep't of Homeland Sec., 451 F. Supp. 3d 703, 706-07 (S.D. Tex. 2020)
- Hoang Trinh v. Homan, 333 F. Supp. 3d 984, 994 (C.D. Cal. 2018)
- Antelex Cobix v. Raycraft, No. 1:25-cv-1669, 2025 WL 3562651, at *8-9 (W.D. Mich. Dec. 12, 2025)
- Candela Bastidas v. Noem, No. 1:25-cv-1528, 2025 WL 3562638, at *8-9 (W.D. Mich. Dec. 12, 2025)
- Acuna Sanchez v. Noem, No. 1:25-cv-1442, 2025 WL 3562577, at *9-10 (W.D. Mich. Dec. 12, 2025)
- Penagos Robles v. U.S. Dep't of Homeland Sec., No. 1:25-cv-1578, 2025 WL 3558128, at *9-10 (W.D. Mich. Dec. 12, 2025)