

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Ali Alhadje v. Guadian

Civil Action No. 1:25-cv-04153-CNS · No. 1:25-cv-04153-CNS · Decided March 20, 2026

SUMMARY

The United States District Court for the District of Colorado denies Ali Alhadje’s petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention. The court concludes that Alhadje’s acknowledged refusal to board a flight arranged for his removal constituted conduct causing or contributing to his continued detention and did not establish a risk of indefinite detention warranting release. The court directs the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Charlotte N. Sweeney
JURISDICTION	United States District Court for the District of Colorado
DECIDED	March 20, 2026
DOCKET	1:25-cv-04153-CNS
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 seeking immediate release from immigration detention. The district court denied the petition and directed the Clerk of Court to close the case.
STANDARD OF REVIEW	The court evaluated whether the record supported habeas relief from immigration detention under 28 U.S.C. § 2241, applying the principle that detention does not become impermissibly indefinite when the detainee's own conduct prevents removal.
PRECEDENTIAL VALUE	Unknown; district court order.
PARTIES	Ali Alhadje v. Robert Guadian, Denver Field Office Director, ICE Enforcement and Removal Operations

TOPICS

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

PRACTICE AREAS

immigration detention

federal habeas corpus

removal proceedings

immigration

QUESTIONS PRESENTED

1. Whether a removable noncitizen is entitled to release from immigration detention under 28 U.S.C. § 2241 when the noncitizen concedes that he refused to board a flight arranged to facilitate removal.
2. Whether the acknowledged refusal to cooperate with removal creates a risk of indefinite detention sufficient to support habeas relief.

HOLDINGS

1. A removable noncitizen who concedes that he refused to board a flight arranged to facilitate removal is not entitled to release from detention on the record presented.

KEY QUOTATIONS

“Because Petitioner concedes that he refused to board this flight, the Court DENIES his habeas petition.”

“Fundamentally, Petitioner’s acknowledged refusal to board the flight to Louisiana does not raise the specter of indefinite detention that might otherwise give rise to a valid habeas claim.”

“The risk of indefinite detention that motivated the Supreme Court’s statutory interpretation in Zadvydas does not exist when an alien is the cause of his own detention.”

“Accordingly, and consistent with the above analysis, the Court DENIES Petitioner’s Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241.”

FACTUAL BACKGROUND

Alhadje was detained while subject to removal. A flight from Denver to Louisiana for staging for removal was booked for January 20, 2026, but Alhadje refused to board it. He conceded that refusal in his reply, and the court treated that concession as dispositive because his conduct prevented or delayed his removal.

PROCEDURAL HISTORY

Alhadje challenged his continued immigration detention under § 2241. Respondents asserted that he had prevented his removal by refusing to board a January 20, 2026, flight from Denver to Louisiana, and supplied evidentiary support. Alhadje conceded in his reply that he refused to board the flight. The court denied habeas relief and closed the case.

DISPOSITION

denied

CASES CITED

- Abiodun v. Mukasey, 264 F. App’x 726, 729 (10th Cir. 2008)

- Singh v. Barr, No. 17-CV-03057-DDD, 2019 WL 2452822, at *4 (D. Colo. June 12, 2019)
- Zadvydas
- Pelich v. I.N.S., 329 F.3d 1057, 1060 (9th Cir. 2003)
- Lema v. I.N.S., 341 F.3d 853, 857 n.7 (9th Cir. 2003)
- Rani v. Barr, No. 19-CV-02017-RBJ, 2019 WL 6682834, at *3 (D. Colo. Dec. 6, 2019)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Judge Charlotte N. Sweeney Civil Action No. 1:25-cv-04153-CNS ALI ALHADJE, Petitioner, v. ROBERT GUADIAN, Denver Field Office Director ICE Enforcement and Removal Operations, Respondent. ORDER I. SUMMARY FOR PRO SE PETITIONER You seek immediate release from your detention.

However, you acknowledge that in January 2026 you refused to board a flight from Denver to Louisiana that was booked for your removal. Because you acknowledge that you refused to board this flight and you are removable, in the eyes of the law you have engaged in behavior that prohibits the Court from granting your release from detention.

Therefore, the Court must deny your habeas petition. II. DISCUSSION Petitioner represents himself without an attorney. Petitioner challenges his detention through a habeas petition. See, e.g., ECF No. 6 at 4. In their response brief, Respondents represent that Petitioner “acted to prevent his removal by refusing to board the January 20, 2026, flight to Louisiana for staging for removal,” ECF No. 17 at 8, and provide evidentiary support for this proposition in connection with their supplemental brief.

See, e.g., ECF No. 19-1 at 2. Petitioner concedes that he refused to board this flight in his own reply brief. See ECF No. 23 at 1; *id.* at 2 (“I refused to board.”). Because Petitioner concedes that he refused to board this flight, the Court DENIES his habeas petition. Fatal to Petitioner’s petition is his concession that he refused to board his flight to Louisiana.

The Tenth Circuit has concluded in a case where a petitioner “refused to accept or acknowledge” required forms “to assist in [removal]” and “refused to complete an application for a Nigerian passport,” *Abiodun v. Mukasey*, 264 F. App’x 726, 729 (10th Cir. 2008), that petitioner’s detention “did not raise the specter of indefinite detention,” *id.* (emphasis added).

See also *Singh v. Barr*, No. 17-CV-03057-DDD, 2019 WL 2452822, at *4 (D. Colo. June 12, 2019) (“And, as in *Abiodun* but unlike *Zadvydas*, there is no showing that India would not receive [the petitioner], and his continued detention is of his own doing.” (citation modified)).

The facts here are similar. Fundamentally, Petitioner’s acknowledged refusal to board the flight to Louisiana does not raise the specter of indefinite detention that might otherwise give rise to a valid

habeas claim. Cf. 8 U.S.C. § 1231(a)(1)(C); *Pelich v. I.N.S.*, 329 F.3d 1057, 1060 (9th Cir. 2003) (“The risk of indefinite detention that motivated the Supreme Court’s statutory interpretation in *Zadvydas* does not exist when an alien is the cause of his own detention.”); *Lema v. I.N.S.*, 341 F.3d 853, 857 n.7 (9th Cir.

2003) (“[R]emovable aliens should not be rewarded with release into the United States for their bad behavior in refusing to assist officials to effect their removal.” (citation modified)); ECF No. 6 at 6. “To be sure, [Respondent’s] protracted efforts to complete removal is no cause for praise.” *Rani v. Barr*, No. 19-CV-02017-RBJ, 2019 WL 6682834, at *3 (D. Colo.

Dec. 6, 2019). But based on the record before the Court, the Court cannot conclude that granting Petitioner the habeas relief he seeks is proper. See, e.g., *Lema*, 341 F.3d at 853; ECF No. 6 at 6. Accordingly, and consistent with the above analysis, the Court DENIES Petitioner’s Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2241. ECF No. 6.

The Clerk of Court is directed to close this case. DATED this 20th day of March 2026. BY TH YP
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