

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

Juan Correa-Luz v. Kevin Raycraft et al.

No. 1:26-cv-195 (W.D. Mich. Feb. 13, 2026) · No. 1:26-cv-195 · Decided February 13, 2026

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Juan Correa-Luz’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in § 1225(b)(2)(A), governs his detention and ordered Respondents to provide a bond hearing within five business days or release him.

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	February 13, 2026
DOCKET	1:26-cv-195
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner filed a counseled combined petition for a writ of habeas corpus under 28 U.S.C. § 2241 and a complaint seeking emergency injunctive relief. The court conditionally granted habeas relief and ordered a bond hearing or release.
PRECEDENTIAL VALUE	Nonprecedential district court opinion
PARTIES	Juan Correa-Luz v. Kevin Raycraft, Secretary for the Department of Homeland Security, Acting Director of ICE

TOPICS

- immigration detention
- procedural due process
- statutory interpretation
- removal proceedings
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether prudential exhaustion of administrative remedies should be enforced before considering Petitioner's § 2241 challenge to immigration detention.
2. Whether 8 U.S.C. § 1225(b)(2)(A), rather than 8 U.S.C. § 1226(a), governs the detention of a noncitizen who has resided in the United States and was apprehended within the United States.
3. Whether Petitioner's detention under the mandatory-detention framework of § 1225(b)(2)(A) violates the Fifth Amendment Due Process Clause.
4. Whether the ICE Detroit Field Office Director is the only proper Respondent in a § 2241 challenge to Petitioner's detention.

HOLDINGS

1. The court declined to enforce prudential exhaustion and alternatively concluded that waiver of exhaustion was appropriate.
2. Section 1226(a), not § 1225(b)(2)(A), governs detention of a noncitizen who has resided in the United States and was already within the United States when apprehended and arrested.
3. Petitioner's current detention under the mandatory-detention framework of § 1225(b)(2)(A) violates the Fifth Amendment Due Process Clause.
4. The ICE Detroit Field Office Director is not the only proper Respondent; the court retained the Field Office Director, the Secretary of Homeland Security, and the Acting Director of ICE.

KEY QUOTATIONS

“The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court’s opinion and judgment or, in the alternative, immediately release Petitioner from custody.” (Conclusion)

FACTUAL BACKGROUND

Juan Correa-Luz, a native and citizen of Mexico, entered the United States without inspection in 2001 and later resided in Michigan. He is married to a United States citizen, has an approved Form I-130 petition and Form I-601A provisional unlawful-presence waiver, and has three United States-citizen children; he has no criminal record. DHS arrested him on January 6, 2026, issued a notice to appear charging inadmissibility, and detained him at the North Lake Processing Center under the mandatory-detention framework of 8 U.S.C. § 1225(b)(2)(A).

PROCEDURAL HISTORY

After DHS arrested Petitioner on January 6, 2026, and initiated removal proceedings, Petitioner challenged his detention under § 2241. The court ordered Respondents to show cause, Respondents filed a response, and

Petitioner filed a reply. The court declined to enforce prudential exhaustion and conditionally granted the petition, ordering a bond hearing under 8 U.S.C. § 1226(a) within five business days or immediate release.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the opinion and judgment, or immediately release him. Respondents must file a status report within six business days certifying compliance and stating whether the hearing occurred, whether bond was granted or denied, the conditions of any bond, or the reasons for denial.

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)
- Antelex Cobix v. Raycraft, No. 1:25-cv-1669, 2025 WL 3562651 (W.D. Mich. Dec. 12, 2025)
- Candela Bastidas v. Noem, No. 1:25-cv-1528, 2025 WL 3562638 (W.D. Mich. Dec. 12, 2025)
- Acuna Sanchez v. Noem, No. 1:25-cv-1442, 2025 WL 3562577 (W.D. Mich. Dec. 12, 2025)
- Penagos Robles v. U.S. Dep’t of Homeland Sec., No. 1:25-cv-1578, 2025 WL 3558128 (W.D. Mich. Dec. 12, 2025)
- Buenrostro-Mendez v. Bondi, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)

OPINION

Correa-Luz

PER CURIAM.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

SOUTHERN DIVISION

JUAN CORREA-LUZ,

Petitioner, Case No. 1:26-cv-195 v. Hon. Hala Y. Jarbou KEVIN RAYCRAFT et al., Respondents.

OPINION

Petitioner, a United States Immigration and Customs Enforcement (ICE) detainee currently detained at the North Lake Processing Center located in Baldwin, Lake County, Michigan, initiated this action by filing a counseled combined petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 and complaint for emergency injunctive relief. (Pet., ECF No. 1.) For the

following reasons, the Court will conditionally grant Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Discussion I. Procedural History In Petitioner's § 2241 petition, Petitioner challenges the lawfulness of his current detention and asks the Court to, inter alia, issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241 either ordering Respondents to release Petitioner or ordering Respondents to conduct a bond hearing to satisfy the requirements of due process. (Pet., ECF No. 1, PageID.25–26.) In an order entered on January 21, 2026, the Court directed Respondents to show cause, within three business days, why the writ of habeas corpus and other relief requested by Petitioner should not be granted. (Order, ECF No. 3.) Respondents filed their response on January 23, 2026, (ECF No. 4), and Petitioner filed his reply on January 27, 2026, (ECF No. 5). II. Factual Background Petitioner is a native and citizen of Mexico. (Notice to Appear (NTA), ECF No. 4-1, PageID.97.) Petitioner entered the United States in 2001 at an unknown location without inspection. (Id.; Pet., ECF No. 1, PageID.7.) Prior to Petitioner's present detention, he resided in Michigan. (Pet., ECF No. 1, PageID.8.) Petitioner is married to a United States citizen through whom Petitioner has an approved Form I-130 petition for alien relative.¹ (Id., PageID.9; 2015 Form I-797, ECF No. 1-2, PageID.66.) Petitioner also has an approved Form I-601A provisional unlawful presence waiver.² (Pet., ECF No. 1, PageID.10; 2021 Form I-797, ECF 1-2, PageID.68.) Petitioner has three children who are United States citizens, and Petitioner is the sole source of income for his wife and children. (Pet., ECF No. 1, PageID.2, 10.) Petitioner has no criminal record. (Id., PageID.4.) On January 6, 2026, Department of Homeland Security (DHS) agents encountered and arrested Petitioner while Petitioner was on his way to work. (Id., PageID.2.) At that time, DHS issued Petitioner a Form I-862, NTA, charging Petitioner with inadmissibility under §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (INA) because Petitioner is an immigrant "present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General,"¹ As the notice of action explained, "The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status." (2015 Form I-797A, ECF No. 1-2, PageID.66.)² As the notice of action explained, the approval of the provisional unlawful presence waiver did not give Petitioner any legal immigration status, protect Petitioner from removal proceedings, or guarantee admission into the United States. (2021 Form I-797A, ECF No. 1-2, PageID.68.) and "who, at the time of application for admission, is not in possession of a valid unexpired [immigration or travel document]." (NTA, ECF No. 4-1, PageID.97, 101.) Petitioner was scheduled to appear before the Detroit Immigration Court for a master hearing on February 2, 2026.³ (Notice of Internet-Based Hearing, ECF No. 4-2, PageID.102.) III. Habeas Corpus Legal Standard The Constitution guarantees that the writ of habeas corpus is "available to every individual detained within the United States." *Hamdi v. Rumsfeld*, 542 U.S. 507, 525 (2004) (citing U.S. Const., Art I, § 9, cl. 2). Section 2241 of Title 28 confers the federal courts with the

power to issue writs of habeas corpus to persons “in custody in violation of the Constitution or laws or treaties of the United States.” 28 U.S.C. § 2241. This includes challenges by non-citizens in immigration- related matters. See *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001); see also *A. A. R. P. v. Trump*, 145 S. Ct. 1364, 1367 (2025). IV. Exhaustion Respondents argue that the Court should deny Petitioner’s request for habeas corpus relief because Petitioner has not exhausted his administrative remedies. Specifically, Respondents argue that Petitioner should pursue a bond hearing and, if necessary, appeal any unfavorable decision to the Board of Immigration Appeals. The Court declines to enforce the doctrine of prudential exhaustion against Petitioner, and even if the Court were to conclude that exhaustion is warranted, the Court concludes in the alternative that waiver of exhaustion is appropriate, for the reasons set forth in the Court’s exhaustion analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *2–3 (W.D. Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv- 3 The parties do not provide any other information about the February 2, 2026, hearing. 1528, 2025 WL 3562638, at *2–4 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25- cv-1442, 2025 WL 3562577, at *2–4 (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 *2–3 (W.D. Mich. Dec. 12, 2025). Accordingly, the Court will proceed to address the merits of Petitioner’s § 2241 petition. V. Merits Discussion A. Statutory Basis for Petitioner’s Detention Petitioner contends that Respondents have violated the INA by concluding that Petitioner is detained pursuant to the mandatory detention provisions set forth in 8 U.S.C. § 1225(b)(2). Respondents, however, contend that Petitioner meets every element for detention under § 1225(b)(2), and that the statute’s structure and history support Respondents’ interpretation. The Court concludes that § 1226(a), not § 1225(b)(2)(A), governs noncitizens, such as Petitioner, who have resided in the United States and were already within the United States when apprehended and arrested for the reasons set forth in the Court’s statutory analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *3–6 (W.D. Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *4–6 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *4–7 (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 *3–6 (W.D. Mich. Dec. 12, 2025).⁴ B. Fifth Amendment Due Process Considerations Petitioner also argues that his detention violates the Fifth Amendment’s Due Process Clause. Respondents counter Petitioner’s arguments by stating that Petitioner has received notice ⁴ The Court is aware of *Buenrostro-Mendez v. Bondi*, No. 25-20496, --- F.4th ---, 2026 WL 323330 (5th Cir. Feb. 6, 2026), which was recently issued by the United States Court of Appeals for the Fifth Circuit. At this time, this non-binding case does not change the Court’s analysis. of the charges against him, has access to counsel, is scheduled to attend hearings with an immigration judge, may request bond, has the right to appeal the denial of any request for bond, and has been detained by ICE for less than six months. The Court concludes that Petitioner’s current detention under the mandatory detention framework set forth in § 1225(b)(2)(A) violates

Petitioner's Fifth Amendment due process rights for the reasons set forth in the Court's constitutional analysis in each of the following cases: *Antele Cobix v. Raycraft*, No. 1:25-cv-1669, 2025 WL 3562651, at *6–8 (W.D. Mich. Dec. 12, 2025); *Candela Bastidas v. Noem*, No. 1:25-cv-1528, 2025 WL 3562638, at *7–8 (W.D. Mich. Dec. 12, 2025); *Acuna Sanchez v. Noem*, No. 1:25-cv-1442, 2025 WL 3562577, at *7–9 (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 *6–8 (W.D. Mich. Dec. 12, 2025). VI. Other Claims and Other Forms of Relief Because the Court will conditionally grant Petitioner's § 2241 petition as set forth herein, the Court does not address other claims and other requested relief in Petitioner's § 2241 petition. VII. Proper Respondents Respondents argue that the Detroit ICE Field Office Director is the only proper Respondent in this action, and they seek the dismissal of all of the other named Respondents.⁵ The Court concludes that the ICE Detroit Field Office Director is not the only proper Respondent for the reasons set forth in the Court's analysis of the same argument in each of the following cases: *Antele 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. 5 The Court previously dismissed the Warden of North Lake Processing Center as a Respondent. (Order, ECF No. 3.) 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). To ensure that this Court's orders regarding a hearing or release will bind at least one Respondent with authority to act in the event that Petitioner is transferred out of the Western District of Michigan, the Court will retain the ICE Detroit Field Office Director, the Secretary for the Department of Homeland Security, and the Acting Director of ICE as Respondents. Conclusion For the reasons discussed above, the Court will enter a judgment conditionally granting Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 1.) The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court's opinion and judgment or, in the alternative, immediately release Petitioner from custody.⁶ The Court will also order Respondents to file a status report within six business days of the date of this Court's opinion and judgment to certify compliance with this opinion and the corresponding judgment. The status report shall include if and when the bond hearing occurred, if bond was granted or denied, and if bond was granted, the conditions of the bond, or if bond was denied, the reasons for the denial. Dated: February 13, 2026 /s/ Hala Y. Jarbou

HALA Y. JARBOU

CHIEF UNITED STATES DISTRICT JUDGE

⁶ This Court has adopted a standard practice of requiring such a hearing within five business days, even if the Petitioner requests a deadline that is shorter or longer.

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