

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

Saparali Yryshaev v. Jim Arnott, et al.

Yryshaev · No. 6:26-cv-3047-MDH · Decided February 12, 2026

SUMMARY

The United States District Court for the Western District of Missouri grants Saparali Yryshaev’s petition for a writ of habeas corpus challenging his detention following the revocation of his immigration parole without prior written notice. The court concludes that it has jurisdiction and that Respondents violated procedural due process by revoking parole without demonstrating changed circumstances or providing adequate process. The court orders Yryshaev’s immediate release subject to his preexisting parole conditions and enjoins his relocation outside the court’s jurisdiction before compliance with the order.

CASE DETAILS

COURT	United States District Court for the Western District of Missouri, Southern Division
WRITING FOR THE COURT	Douglas Harpool
JURISDICTION	United States District Court for the Western District of Missouri, Southern Division
DECIDED	February 12, 2026
DOCKET	6:26-cv-3047-MDH
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and the termination of his humanitarian parole without prior written notice or a hearing. The district court granted the petition, ordered his immediate release subject to the conditions of his preexisting parole, and issued limited injunctive relief against relocation outside the district.
STANDARD OF REVIEW	The court applied the procedural due process framework requiring a protected liberty or property interest and denial of adequate procedural protections. For the requested temporary restraining order, it applied the Dataphase four-factor test: likelihood of success, irreparable harm, balance of harms, and the public interest.

PRECEDENTIAL VALUE	Unpublished, nonprecedential federal district court order
PARTIES	Saparali Yrysbaev v. Jim Arnott, et al.

TOPICS

immigration detention procedural due process due process injunctions judicial review of agency action

PRACTICE AREAS

immigration law habeas corpus constitutional law administrative law civil procedure equitable relief

QUESTIONS PRESENTED

1. Whether 8 U.S.C. §§ 1252(e)(3), 1252(g), or 1252(b)(9) deprived the district court of jurisdiction over a § 2241 petition challenging allegedly unlawful immigration detention.
2. Whether the government violated procedural due process by revoking Yrysbaev's parole and detaining him without prior written notice, a hearing, or an individualized legal justification based on changed circumstances.
3. Whether limited temporary injunctive relief was appropriate to prevent respondents from relocating Yrysbaev outside the district before complying with the release and hearing-related requirements.
4. Whether Yrysbaev could pursue attorneys' fees and costs under the Equal Access to Justice Act.

HOLDINGS

1. The district court had jurisdiction under 28 U.S.C. § 2241 because the petition challenged unlawful detention and parole revocation, not the validity of a removal order, expedited-removal system, or the government's decision to seek removal.
2. The government violated Yrysbaev's procedural due process rights by revoking his parole and detaining him without prior written notice, an opportunity to be heard, and a sufficient individualized change in circumstances justifying the revocation.
3. A temporary restraining order was appropriate to prevent respondents from relocating Yrysbaev outside the district before complying with the order because the merits, irreparable harm, balance of harms, and public-interest factors favored relief.
4. Because Yrysbaev prevailed and the court found that the government's position was not substantially justified, he may pursue reasonable attorneys' fees and costs under the Equal Access to Justice Act, subject to the statute's application and filing requirements.

KEY QUOTATIONS

“A procedural due process claim has two elements: (1) a deprivation of a constitutionally protected liberty or property interest, and (2) a denial of adequate procedural protections.” (Discussion § II)

“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that the [Due Process] Clause protects.” (Discussion § II)

“The essence of due process is the requirement that ‘a person in jeopardy of a serious loss [be given] notice of the case against him and the opportunity to meet it.’” (Discussion § II)

“The Court concludes Respondents revoked Petitioner’s parole without a showing of change in circumstances, his right to procedural due process has been violated, and he is entitled to immediate release.” (Conclusion)

FACTUAL BACKGROUND

Yrysbaev entered the United States with his spouse in April 2023 through a scheduled CBP One humanitarian parole appointment and was paroled under INA § 212(d)(5) through April 14, 2024. He complied with his immigration-court obligations, pursued an asylum claim, maintained employment authorization and a fixed residence, and had no history of failing to appear. ICE detained him on October 10, 2025, while he was working as an Uber driver at O’Hare International Airport, and revoked or terminated his parole without prior written notice or an identified change in circumstances.

PROCEDURAL HISTORY

Yrysbaev was detained by ICE on October 10, 2025, while working at O’Hare International Airport and was transferred to the Greene County Jail in Missouri. He filed a verified § 2241 habeas petition against federal immigration officials and the Greene County Sheriff. The court rejected the government’s jurisdictional arguments, found that parole had been revoked without sufficient individualized justification or procedural protections, granted habeas relief, and enjoined relocation outside the court’s jurisdiction pending compliance with the order.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

No remand was ordered. Respondents were ordered to immediately release Yrysbaev subject to the conditions of his preexisting parole, provide accommodations until arrangements could be made for his return to the location of arrest or another agreed location, and refrain from relocating him outside the court’s jurisdiction before complying with the order.

CASES CITED

- Munoz Materano v. Arteta, 2025 WL 2630826 (S.D.N.Y. Sept. 12, 2025), at *10
- Mata Velasquez v. Kurzdorfer, No. 25-CV-493-LJV, 2025 U.S. Dist. LEXIS 135986, 2025 WL 1953796, at *7 (W.D.N.Y. July 16, 2025)
- Hernandez-Cuevas v. Olson, No. 4:25-cv-00830-BP, at 3 (W.D. Mo. Nov. 5, 2025)
- Cifuentes Rivera v. Arnott, et al., 25-cv-00570-RK1, Doc. 19 at 7 (W.D. Mo. Oct. 7, 2025)
- Barrajas v. Noem, 2025 WL 2717650, at *3 (S.D. Iowa Sept. 23, 2025)
- Giron Reyes v. Lyons, 2025 WL 2712427, at *4 (N.D. Iowa Sept. 23, 2025)
- Jose J.O.E. v. Bondi, 2025 WL 2466670, at *6-*7 (D. Minn. Aug. 27, 2025)

- Buenrostro-Mendez v. Bondi, Case No. 25-20496 (5th Cir. Feb. 6, 2026)
- Sanchez v. LaRose, 2025 U.S. Dist. LEXIS 190593, at *6-*9
- Miranda v. City of Casa Grande, 15 F.4th 1219, 1225 (9th Cir. 2021)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)
- Hernandez v. Sessions, 872 F.3d 976, 981
- Alegria Palma v. LaRose, No. 25-cv-1942-BJC-MMP, ECF No. 14 (S.D. Cal. Aug. 11, 2025)
- Mathews v. Eldridge, 424 U.S. 319, 348 (1976)
- Joint Anti-Fascist Comm. v. McGrath, 341 U.S. 123, 171-72 (1951) (Frankfurter, J., concurring)
- Ying Fong v. Ashcroft, 317 F. Supp. 2d 398, 403 (S.D.N.Y. 2004)
- Mohammed H. v. Trump, No. 25-1576 (JWB/DTS), 2025 U.S. Dist. LEXIS 117197, 2025 WL 1692739, at *5 (D. Minn. June 17, 2025)
- Matter of Sugay, 17 I. & N. Dec. 637, 640 (BIA 1981)
- Ortega v. Bonnar, 415 F. Supp. 3d 963, 968 (N.D. Cal. 2019)
- Dataphase Sys., Inc. v. C L Sys., Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc)
- Calvin Klein Cosmetics Corp. v. Lenox Labs., Inc., 815 F.2d 500, 503 (8th Cir. 1987)
- Commissioner, I.N.S. v. Jean, 496 U.S. 154, 163 (1990)
- Boudin v. Thomas, 732 F.2d 1107, 1114 (2d Cir. 1984)

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