

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

Mamadou Ba v. Kevin Raycraft, et al.

Ba · No. 2:25-cv-14093 · Decided March 5, 2026

SUMMARY

The United States District Court for the Eastern District of Michigan grants Mamadou Ba’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that Ba’s detention is governed by the discretionary detention framework in 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2)(A), and therefore violates due process because Ba was not given an individualized bond hearing. The court dismisses the claims against the Secretary of Homeland Security and DHS, retains ICE Field Office Director Kevin Raycraft as a respondent, and orders Ba’s immediate release or a bond hearing.

CASE DETAILS

|                       |                                                                                                                                                                                                      |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of Michigan, Southern Division                                                                                                                 |
| WRITING FOR THE COURT | Jonathan J.C. Grey                                                                                                                                                                                   |
| JURISDICTION          | United States District Court for the Eastern District of Michigan, Southern Division                                                                                                                 |
| DECIDED               | March 5, 2026                                                                                                                                                                                        |
| DOCKET                | 2:25-cv-14093                                                                                                                                                                                        |
| DISPOSITION           | writ_granted                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention.                                                                                                       |
| STANDARD OF REVIEW    | The court reviewed the § 2241 habeas claim to determine whether Ba was in custody in violation of the Constitution or laws of the United States and interpreted the relevant INA provisions de novo. |
| PRECEDENTIAL VALUE    | Unknown; federal district court opinion with no reporter citation or precedential designation stated in the source.                                                                                  |
| PARTIES               | Mamadou Ba v. Kevin Raycraft, Kristi Noem, United States Department of Homeland Security                                                                                                             |

## TOPICS

immigration detention

removal proceedings

statutory interpretation

procedural due process

civil procedure

## PRACTICE AREAS

immigration law

habeas corpus

constitutional law

civil procedure

## QUESTIONS PRESENTED

1. Whether an ICE field office director, rather than the detainee's immediate physical custodian, is a proper respondent in a habeas petition brought by a noncitizen facing removal proceedings.
2. Whether 8 U.S.C. § 1225(b)(2)(A) authorizes mandatory detention of a noncitizen who has been present in the United States for years, was not apprehended while seeking admission, and was not determined inadmissible by an examining immigration officer.
3. Whether Ba's detention without an individualized bond hearing violated the Fifth Amendment Due Process Clause.

## HOLDINGS

1. An ICE field office director who controls the petitioner's release is a proper respondent in a habeas action brought by a noncitizen detained pending removal proceedings; the court therefore retained Raycraft as a respondent and dismissed Noem and DHS.
2. Section 1225(b)(2)(A) does not authorize mandatory detention of a noncitizen already residing in the United States who was not presenting for admission, was not actively seeking admission, and was not determined inadmissible by an examining immigration officer.
3. Because § 1225(b)(2)(A) does not apply, § 1226(a) governs Ba's detention and entitles him to request an individualized custody or bond determination before an immigration judge.
4. Detaining Ba under § 1225(b)(2)(A) without an individualized bond hearing violates the Fifth Amendment Due Process Clause.

## KEY QUOTATIONS

*“For the reasons stated above, under the plain language of § 1225(b)(2)(A), “applicants for admission” do not include noncitizens already in the United States who, like Ba, were not seeking admission and were not determined inadmissible by an examining immigration officer.” (Section IV.B.i)*

*“Therefore, without first evaluating [Ba’s] risk of flight or dangerousness, his detention is a violation of his due process rights.” (Section IV.C)*

## FACTUAL BACKGROUND

Ba, a citizen of Senegal, entered the United States on November 5, 2023, allegedly without inspection. ICE arrested him on October 1, 2025, and detained him at Monroe County Jail while removal proceedings were

pending. He was charged as inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), and the government detained him under § 1225(b)(2)(A) without an individualized bond hearing. An immigration judge later ordered him removed to Uganda after pretermittting and denying his asylum application.

## PROCEDURAL HISTORY

Ba filed a § 2241 habeas petition challenging his detention under 8 U.S.C. § 1225(b)(2)(A) without a bond hearing. The court held that Raycraft was a proper respondent but dismissed Noem and DHS, granted the petition, enjoined detention under § 1225(b)(2)(A), and ordered Ba released or given an individualized bond hearing under § 1226(a).

## DISPOSITION

writ\_granted

## REMAND INSTRUCTIONS

Respondents must immediately release Ba or provide him with an individualized bond hearing under 8 U.S.C. § 1226(a) before an immigration judge on or before March 12, 2026. Respondents must file a status report by March 19, 2026 certifying compliance and describing any bond hearing and its outcome.

## CASES CITED

- Lopez-Campos v. Raycraft, 797 F. Supp. 3d 771, 776-785 (E.D. Mich. 2025)
- Rumsfeld v. Padilla, 542 U.S. 426, 435-442 (2004)
- Roman v. Ashcroft, 340 F.3d 314, 320 (6th Cir. 2003)
- Aguilar v. Dunbar, No. 2:25-cv-12831, 2025 WL 3281540, at \*\*2-3 (E.D. Mich. Nov. 13, 2025)
- Romero Garcia v. Raycraft, No. 25-cv-13407, 2025 WL 3252286, at \*2-\*3, \*5 (E.D. Mich. Nov. 21, 2025)
- Corley v. United States, 556 U.S. 303, 314 (2009)
- Kentucky v. Biden, 23 F.4th 585, 603 (6th Cir. 2022)
- Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3713987, at \*9, \*11-\*12 (C.D. Cal. Dec. 18, 2025)
- Dubin v. United States, 599 U.S. 110, 120-121 (2023)
- United States ex rel. Polansky v. Executive Health Resources, Inc., 599 U.S. 419, 432 (2023)
- Monge-Nunez v. Ladwig, No. 2:25-CV-03043-TLP-atc, 2025 WL 3565348, at \*6 (W.D. Tenn. Dec. 12, 2025)
- Santos Franco v. Raycraft, No. 2:25-cv-13188, 2025 WL 2977118, at \*7 (E.D. Mich. Oct. 21, 2025)
- Pacheco-Acosta v. Olson, No. CV 25-186-DLB, 2025 WL 3542128, at \*5 (E.D. Ky. Dec. 10, 2025)
- Lopez Benitez v. Francis, 795 F. Supp. 3d 475, 489 (S.D.N.Y. 2025)
- Jennings v. Rodriguez, 583 U.S. 281, 287-289 (2018)
- United Savings Association of Texas v. Timbers of Inwood Forest Associates, Ltd., 484 U.S. 365, 371 (1988)
- Roberts v. Sea-Land Services, Inc., 566 U.S. 93, 101 (2012)
- Utility Air Regulatory Group v. EPA, 573 U.S. 302, 321 (2014)

- *Pulsifer v. United States*, 601 U.S. 124, 143 (2024)
- *Stone v. INS*, 514 U.S. 386, 397 (1995)
- *Maldonado v. Olsen*, No. 25-cv-3142, 2025 WL 237441, at \*12 (D. Minn. Aug. 15, 2025)
- *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)
- *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)

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