

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

Jose Diaz Gomez v. Kevin Raycraft et al.

Gomez · No. 1:25-cv-1726 · Decided December 31, 2025

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Jose Diaz Gomez’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that detention of a noncitizen apprehended within the United States was governed by 8 U.S.C. § 1226(a), rather than the mandatory-detention provision of § 1225(b)(2)(A), and that the detention framework violated the Fifth Amendment’s Due Process Clause. Respondents were ordered to provide a bond hearing within five business days or release Gomez, and the Attorney General was dismissed as a respondent.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Paul L. Maloney
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	December 31, 2025
DOCKET	1:25-cv-1726
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and requesting a bond hearing or release. The district court conditionally granted the petition, ordered a bond hearing under 8 U.S.C. § 1226(a) or immediate release, retained the Detroit ICE Field Office Director and the Secretary of Homeland Security as respondents, and dismissed the Attorney General as a respondent.
STANDARD OF REVIEW	The court reviewed the legality of petitioner's custody under 28 U.S.C. § 2241 and addressed prudential exhaustion; no separate formal standard-of-review formulation was stated.
PRECEDENTIAL VALUE	unpublished district court opinion

PARTIES

Jose Diaz Gomez v. Kevin Raycraft et al.

TOPICS

immigration detention

removal proceedings

due process

procedural due process

statutory interpretation

PRACTICE AREAS

immigration law

federal habeas corpus

constitutional law

QUESTIONS PRESENTED

1. Whether prudential exhaustion of administrative remedies should be enforced against Gomez's § 2241 habeas petition.
2. Whether 8 U.S.C. § 1225(b)(2)(A) or 8 U.S.C. § 1226(a) governs the detention of a noncitizen who had resided in the United States and was already within the country when apprehended and arrested.
3. Whether Gomez's detention under the mandatory-detention framework of § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
4. Whether the Detroit ICE Field Office Director was the only proper respondent in the habeas action.

HOLDINGS

1. The court declined to enforce prudential exhaustion against Gomez and alternatively concluded that waiver of exhaustion was appropriate.
2. Section 1226(a), rather than § 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. Gomez's current detention under the mandatory-detention framework of § 1225(b)(2)(A) violated the Fifth Amendment Due Process Clause.
4. The Detroit ICE Field Office Director was not the only proper respondent; the court retained the Field Office Director and the Secretary of Homeland Security and dismissed the Attorney General as a respondent.

KEY QUOTATIONS

“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”
(Section V.A)

“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” (Section V.B)

FACTUAL BACKGROUND

Jose Diaz Gomez, a native and citizen of Mexico, entered the United States in February 2024 without inspection and was charged as inadmissible under INA § 212(a)(6)(A)(i). He was permitted to remain in the United States

and lived in Illinois with his wife and two children; he filed an asylum application that remained pending and later received employment authorization through August 4, 2030. ICE arrested him on September 18, 2025, and he was scheduled for a master calendar hearing before the Detroit Immigration Court.

PROCEDURAL HISTORY

Gomez filed a counseled combined § 2241 petition on November 24, 2025, as one of twenty-five petitioners. The court severed the petitioners' claims into separate actions on December 10, 2025, ordered respondents to show cause, and received respondents' response and Gomez's reply. The court declined to enforce prudential exhaustion, alternatively waived exhaustion, reached the merits, and conditionally granted habeas relief.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Gomez with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the opinion and judgment or immediately release him from custody. 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)
- Antele 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)

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