

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

Nezdet Ozdemir v. Kristi Noem et al.

No. 1:25-cv-1910 (W.D. Mich. Jan. 22, 2026) · No. 1:25-cv-1910 · Decided January 22, 2026

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Nezdet Ozdemir’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 concluded that his current detention violated the Fifth Amendment’s Due Process Clause. Respondents were ordered to provide a bond hearing within five business days or release him, and to file a compliance status report.

CASE DETAILS

COURT	United States District Court for the Western District of Michigan, Southern Division
WRITING FOR THE COURT	Jane M. Beckering
JURISDICTION	United States District Court for the Western District of Michigan, Southern Division
DECIDED	January 22, 2026
DOCKET	1:25-cv-1910
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner filed a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 and a complaint seeking emergency injunctive relief, challenging his immigration detention and requesting a bond hearing. After ordering Respondents to show cause, the court conditionally granted the habeas petition.
STANDARD OF REVIEW	The court reviewed the legality of Petitioner’s custody under 28 U.S.C. § 2241 and considered whether prudential exhaustion should be required or waived.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Nezdet Ozdemir v. Kristi Noem et al.

TOPICS

immigration detention

procedural due process

removal proceedings

statutory interpretation

remedies

PRACTICE AREAS

immigration law

federal habeas corpus

constitutional law

administrative law

QUESTIONS PRESENTED

1. Whether prudential exhaustion of administrative remedies should be enforced against Ozdemir's § 2241 challenge to his immigration detention.
2. Whether 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in 8 U.S.C. § 1225(b)(2)(A), governs the detention of a noncitizen who had resided in the United States and was apprehended within the United States.
3. Whether Ozdemir'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 the habeas action.

HOLDINGS

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

KEY QUOTATIONS

“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” (Discussion § V.B)

“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

Ozdemir is a native and citizen of Turkey who entered the United States in October 2024 without inspection and was placed in removal proceedings based on alleged inadmissibility for lacking valid immigration or travel documents. He was initially released pending an immigration hearing and later filed a pending asylum application. After his November 25, 2025 arrest for driving under the influence, ICE arrested him at the Genesee

County Jail on November 26, 2025. The opinion states that the court had no information showing that Ozdemir had been convicted of a crime.

PROCEDURAL HISTORY

Ozdemir was detained by ICE after being arrested for driving under the influence, while removal proceedings and his asylum application remained pending. He filed this § 2241 action on December 29, 2025. The court ordered a prompt response, considered the parties' filings, declined to enforce prudential exhaustion, and ordered a bond hearing or release.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must provide Ozdemir 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 a bond 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)