

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

Josefina Lagunes-Barrera v. Kevin Raycraft et al.

No. 1:26-cv-786 (W.D. Mich. Mar. 19, 2026) · No. 1:26-cv-786 · Decided March 19, 2026

SUMMARY

The United States District Court for the Western District of Michigan conditionally granted Josefina Lagunes-Barrera’s 28 U.S.C. § 2241 petition challenging her immigration detention. The court held that detention was governed by 8 U.S.C. § 1226(a), concluded that detention under the mandatory-detention framework violated due process, and ordered a bond hearing within five business days or immediate release, while dismissing the United States Department of Homeland Security 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	March 19, 2026
DOCKET	1:26-cv-786
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking release or a constitutionally sufficient bond hearing.
STANDARD OF REVIEW	De novo review of the legal basis for detention and the asserted constitutional violation in a § 2241 habeas proceeding.
PRECEDENTIAL VALUE	Unpublished federal district court opinion; precedential status not stated and identified as unknown in the source metadata.
PARTIES	Josefina Lagunes-Barrera v. Kevin Raycraft et al.

TOPICS

- immigration detention
- procedural due process
- due process
- statutory interpretation
- immigration

PRACTICE AREAS

immigration detention

habeas corpus

constitutional law

QUESTIONS PRESENTED

1. Whether prudential exhaustion of administrative remedies should be enforced before adjudicating petitioner's § 2241 challenge to 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 detention of a noncitizen who had resided in the United States and was apprehended within the country.
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 was the only proper respondent and whether the United States Department of Homeland Security should remain a respondent.

HOLDINGS

1. The court declined to enforce prudential exhaustion and alternatively concluded that waiver of exhaustion was appropriate.
2. Section 1226(a), not 8 U.S.C. § 1225(b)(2)(A), governs detention of a noncitizen who had resided in the United States and was already within the country 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 was not the only proper respondent. The court retained the Field Office Director and the Secretary of Homeland Security as respondents, while dismissing the United States Department of Homeland Security.

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)

“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” (Conclusion)

FACTUAL BACKGROUND

Petitioner is a native and citizen of Mexico who entered the United States without inspection in 2019. Border Patrol arrested her in September 2019, DHS issued a notice to appear charging inadmissibility, and DHS later

paroled her into the United States for one year. ICE arrested her again on February 11, 2026, and detained her at the North Lake Processing Center in Michigan.

PROCEDURAL HISTORY

Petitioner filed a counseled § 2241 petition challenging her detention by ICE. The court ordered respondents to show cause, respondents filed a response, and petitioner filed a reply. The court conditionally granted the petition, ordered a bond hearing or immediate release, dismissed the United States Department of Homeland Security as a respondent, and required a compliance status report.

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, with notice to the parties as soon as practicable and no later than 24 hours before the hearing, or immediately release petitioner 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, at *2–3, *3–6, *6–8, *8–9 (W.D. Mich. Dec. 12, 2025)
- Candela Bastidas v. Noem, No. 1:25-cv-1528, 2025 WL 3562638, at *2–4, *4–6, *7–8, *8–9 (W.D. Mich. Dec. 12, 2025)
- Acuna Sanchez v. Noem, No. 1:25-cv-1442, 2025 WL 3562577, at *2–4, *4–7, *7–9, *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 *2–3, *3–6, *6–8, *9–10 (W.D. Mich. Dec. 12, 2025)
- Buenrostro-Mendez v. Bondi, 166 F.4th 494 (5th Cir. 2026)