

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS

Yuniel Stivens Lobaina v. Bret Bradford, et al.

Lobaina v. Bradford · No. 4:26-CV-00619 · Decided April 24, 2026

SUMMARY

The Southern District of Texas grants respondents’ motion for summary judgment and dismisses a 28 U.S.C. § 2241 petition challenging the petitioner’s continued immigration detention. The court holds that detention is mandated under 8 U.S.C. § 1225(b)(2) because the petitioner is an arriving alien who has not been admitted, and concludes that his bond-hearing and Fifth Amendment due process arguments are foreclosed or precluded at this stage.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas
WRITING FOR THE COURT	Andrew S. Hanen
JURISDICTION	United States District Court for the Southern District of Texas
DECIDED	April 24, 2026
DOCKET	4:26-CV-00619
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner, an immigration detainee, filed a 28 U.S.C. § 2241 habeas petition challenging his continued detention. Respondents moved for summary judgment, and petitioner did not respond before the deadline.
STANDARD OF REVIEW	Summary judgment was granted based on uncontroverted evidence and the absence of a legally viable detention or due-process claim.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status is unknown and the order is not reported.
PARTIES	Yuniel Stivens Lobaina v. Bret Bradford, et al.

TOPICS

- immigration detention
- removal proceedings
- summary judgment
- due process
- immigration

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Lobaina was subject to mandatory detention under 8 U.S.C. § 1225(b)(2) as an arriving alien who had not been lawfully admitted.
2. Whether Lobaina was entitled to a bond hearing under 8 U.S.C. § 1226(a) and its implementing regulations.
3. Whether his continued detention violated the Fifth Amendment's Due Process Clause.

HOLDINGS

1. Because Lobaina entered as an arriving alien and had not been lawfully admitted, he was an applicant for admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2).
2. Lobaina's arguments for a bond hearing under § 1226(a) and its implementing regulations were foreclosed because his detention was mandated under § 1225(b)(2).
3. At this juncture, Lobaina's Fifth Amendment due-process claims were precluded because detention during removal proceedings is constitutionally permissible.

KEY QUOTATIONS

“His detention is mandated by statute under section 1225(b)(2).” (at 2)

“Detention during removal proceedings is a constitutionally permissible part of that process.” (at 2)

FACTUAL BACKGROUND

Yuniel Stivens Lobaina was detained by ICE at the Houston Contract Detention Facility. The uncontroverted evidence showed that he entered the United States as an arriving alien without lawful status and was placed in removal proceedings. He did not allege or contend that he had been lawfully admitted to the United States.

PROCEDURAL HISTORY

Lobaina was detained by ICE while in removal proceedings and filed a § 2241 petition. The respondents moved for summary judgment. The district court granted the motion and dismissed the petition, denying any other pending motions as moot.

DISPOSITION

dismissed

CASES CITED

- Buenrostro-Mendez v. Bondi, 166 F.4th 494, 498 (5th Cir. Feb. 6, 2026)
- Demore v. Kim, 538 U.S. 510, 531 (2003)
- Jennings v. Rodriguez, 583 U.S. 281, 297 (2018)

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