

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
KENTUCKY, NORTHERN DIVISION AT COVINGTON

Junel Methelus v. Markwayne Mullin, et al.

Methelus · No. 26-158-DLB · Decided May 29, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky grants Junel Methelus’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that immigration officials violated his due process rights by detaining him without properly terminating his parole and concludes that his detention is governed by 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2). The court determines that a constitutionally adequate individualized bond hearing, with the government bearing the burden of proof by clear and convincing evidence, is the appropriate remedy.

CASE DETAILS

COURT	United States District Court for the Eastern District of Kentucky, Northern Division at Covington
WRITING FOR THE COURT	David L. Bunning
JURISDICTION	United States District Court for the Eastern District of Kentucky, Northern Division at Covington
DECIDED	May 29, 2026
DOCKET	26-158-DLB
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking immediate release or an individualized bond hearing.
STANDARD OF REVIEW	The court reviewed the § 2241 habeas petition and constitutional detention claim de novo, applying the Mathews v. Eldridge balancing test to the due process issue.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive authority only
PARTIES	Junel Methelus v. Markwayne Mullin, Todd Blanche, Michael Zervas, Jason Maydak

TOPICS

immigration detention

procedural due process

due process

removal proceedings

judicial review of agency action

PRACTICE AREAS

immigration

immigration detention

constitutional law

habeas corpus

administrative law

QUESTIONS PRESENTED

1. Whether the Boone County jailer was a proper respondent in Methelus's § 2241 habeas petition.
2. Whether DHS and ICE lawfully terminated Methelus's parole before transferring him to immigration detention.
3. Whether the expiration of parole returned Methelus to the status of an arriving alien subject to mandatory detention under 8 U.S.C. § 1225(b)(2), or instead placed his detention under the discretionary framework of 8 U.S.C. § 1226(a).
4. Whether Methelus's continued detention without an individualized bond hearing violated the Fifth Amendment Due Process Clause.
5. What remedy was appropriate for the unlawful detention and due process violation.

HOLDINGS

1. The Boone County jailer was a proper respondent because he exercised day-to-day control over the facility where Methelus was detained.
2. DHS and ICE violated Methelus's rights by detaining him before properly terminating his parole through written notice and an individualized determination.
3. The expiration of Methelus's parole did not return him to the status of an arriving alien subject to mandatory detention under § 1225(b)(2); his detention was governed by the discretionary detention framework of 8 U.S.C. § 1226(a).
4. Methelus's continued detention under § 1226(a) without an individualized bond hearing violated the Fifth Amendment, and he was entitled to a constitutionally adequate bond hearing at which the government bore the burden of proving dangerousness or flight risk by clear and convincing evidence.

KEY QUOTATIONS

“Therefore, because the Warrant was short on any actionable language and ICE provided no additional charging document, the Court finds that the February 13, 2026 Warrant did not provide effective written notice of the termination of Petitioner’s parole, in violation of the 8 U.S.C. § 1182(d)(5)(A).” (Analysis § III.B)

“While Respondents are correct in stating that the Government may constitutionally detain deportable noncitizens during the pendency of removal proceedings, courts all across the country, including this Court, have found that a noncitizen’s detention violates the due process rights afforded to him by the Fifth Amendment when he was detained without access to an individualized hearing.” (Analysis § III.D)

FACTUAL BACKGROUND

Junel Methelus, a Haitian citizen, was paroled into the United States on February 25, 2024, for two years while pursuing asylum and Temporary Protected Status. After local traffic-related charges in Kentucky, he was transferred to ICE custody on February 13, 2026, before his parole period expired. ICE served an I-200 arrest warrant, but the warrant did not mention parole termination, and the record contained no written notice or individualized determination terminating parole. While the petition was pending, the parole period automatically expired, and Methelus remained detained without an individualized bond hearing.

PROCEDURAL HISTORY

Methelus filed a § 2241 habeas petition after being transferred from local custody to ICE detention. The respondents filed responses, and Methelus filed a reply. The district court granted the petition, ordered immediate release or, alternatively, a constitutionally adequate bond hearing, and required a compliance status report.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must immediately release Methelus or, alternatively, provide a constitutionally adequate bond hearing under 8 U.S.C. § 1226(a) within seven days of the order, with the government bearing the burden of proof by clear and convincing evidence. Respondents must file a status report by June 12, 2026 certifying compliance and stating the hearing outcome and reasons for any denial of bond.

CASES CITED

- *Munaf v. Geren*, 553 U.S. 674, 693 (2008)
- *Hamdi v. Rumsfeld*, 542 U.S. 507, 525, 531 (2004)
- *Rasul v. Bush*, 542 U.S. 466, 483 (2004)
- *Rumsfeld v. Padilla*, 542 U.S. 426, 434, 447 (2004)
- *M.T.B. v. Byers*, No. 2:24-cv-082-DCR, 2024 WL 3881843, at *1 (E.D. Ky. Aug. 20, 2024)
- *Roman v. Ashcroft*, 340 F.3d 314, 319 (6th Cir. 2003)
- *Loaiza Arias v. LaRose*, No. 3:25-cv-02595-BTM-MMP, 2025 WL 3295385, at *3 (S.D. Cal. Nov. 25, 2025)
- *Rassul v. Field Officer Director*, No. 25-232-DLB, 2026 WL 834737, at *5-*6 (E.D. Ky. Mar. 26, 2026)
- *Mata Velasquez v. Kurzdorfer*, 794 F. Supp. 3d 128, 146 (W.D.N.Y. 2025)
- *Oreilly v. Blanche*, No. 2:26-cv-278-GMN-EJY, 2026 WL 1031192, at *4 (D. Nev. Apr. 16, 2026)
- *Darwich v. Kemerling*, No. 1:25-cv-1162, 2026 WL 170801, at *2, *5 (M.D.N.C. Jan. 22, 2026)
- *Rujano*, 2026 WL 18618, at *5
- *Saengphet*, 815 F. Supp. 3d at 1148
- *Araque-Marquez v. Olson*, No. 26-84-DLB, 2026 WL 836121, at *2 (E.D. Ky. Mar. 26, 2026)

- Linarez v. Stamper, No. 1:26-cv-101-JAW, 2026 WL 592294, at *5-*6 (D. Me. Mar. 3, 2026)
- Rodriguez-Acurio v. Almodovar, No. 2:25-cv-6065, 2025 WL 3314420, at *17 (E.D.N.Y. Nov. 28, 2025)
- Coal. for Human Immigrant Rights v. Noem, 805 F. Supp. 3d 48, 85 (D.D.C. Aug. 1, 2025)
- Walizada v. Trump, No. 2:25-cv-768, 2025 WL 3551972, at *15 (D. Vt. Dec. 11, 2025)
- Tumba v. Francis, 813 F. Supp. 3d 394, 399-400 (S.D.N.Y. 2025)
- Lopez-Campos v. Raycraft, No. 25-1965, 2026 WL 1283891, at *6, *13 (6th Cir. May 11, 2026)
- A.A.R.P. v. Trump, 605 U.S. 91, 94 (2025)
- Trump v. J.G.G., 604 U.S. 670, 673 (2025)
- Foucha v. Louisiana, 504 U.S. 71, 80 (1992)
- Edahi v. Lewis, No. 4:25-cv-129-RGJ, 2025 WL 3466682, at *14 (W.D. Ky. Nov. 27, 2025)
- Yao v. Almodovar, No. 25 Civ. 9983 (PAE), 2025 WL 3653433, at *11 (S.D.N.Y. Dec. 17, 2025)
- Barrera v. Tindall, No. 3:25-cv-541-RGJ, 2025 WL 2690565, at *7 (W.D. Ky. Sept. 19, 2025)
- Günaydin v. Trump, No. 25-cv-01151, 2025 WL 1459154, at *10 (D. Minn. May 21, 2025)
- Hernandez-Lara v. Lyons, 10 F.4th 19, 39 (1st Cir. 2021)
- Velasco Lopez v. Decker, 978 F.3d 842, 846 (2d Cir. 2020)
- Azalyar v. Raycraft, No. 1:25-cv-916, 2026 WL 30741, at *5 (S.D. Ohio Jan. 2, 2026)
- Rajesh v. Barr, 420 F. Supp. 3d 78, 87-88 (W.D.N.Y. 2019)
- Addington v. Texas, 441 U.S. 418, 427 (1979)