

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Antonio Lopez Del Valle v. Brian English

No. 3:26-CV-142-CCB-SJF (N.D. Ind. Feb. 23, 2026) · No. No. 3:26-CV-142-CCB-SJF · Decided February 23,
2026

SUMMARY

The court conditionally grants Antonio Lopez Del Valle's petition for a writ of habeas corpus challenging his detention during immigration removal proceedings. It holds that the mandatory detention provision of 8 U.S.C. § 1225(b)(2) does not apply to a noncitizen arrested in the interior of the United States years after arrival, and that detention is instead governed by 8 U.S.C. § 1226(a). The respondent must provide an individualized bond hearing within seven days or release Lopez Del Valle.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Cristal C. Brisco
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	February 23, 2026
DOCKET	No. 3:26-CV-142-CCB-SJF
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	De novo consideration of the legal issues presented in the § 2241 habeas petition; statutory interpretation of the immigration detention provisions.
PRECEDENTIAL VALUE	nonprecedential district court opinion
PARTIES	Antonio Lopez Del Valle v. Brian English

TOPICS

- immigration detention
- federal habeas corpus
- removal proceedings
- statutory interpretation
- equitable relief

PRACTICE AREAS

immigration law

habeas corpus

immigration detention

statutory interpretation

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction under 28 U.S.C. § 2241 to review Lopez Del Valle's challenge to his immigration detention.
2. Whether the mandatory-detention provision in 8 U.S.C. § 1225(b)(2) applies to a noncitizen arrested in the interior of the United States years after entering without inspection.
3. Whether Lopez Del Valle was entitled to an individualized bond hearing under 8 U.S.C. § 1226(a).
4. Whether the court should order immediate release or instead require the government to provide a prompt individualized bond hearing.

HOLDINGS

1. The mandatory-detention provision of 8 U.S.C. § 1225(b)(2) does not apply to individuals like Lopez Del Valle who are arrested within the interior of the United States years after their arrival and are not seeking admission at a port of entry.
2. Because Lopez Del Valle was detained under § 1226(a), he was entitled to an individualized bond hearing; the immigration judge erred by treating him as categorically ineligible for bond under § 1225(b)(2).
3. The appropriate remedy was a prompt individualized bond hearing rather than immediate release, but the government was required to release Lopez Del Valle if it failed to provide the hearing within seven days.

KEY QUOTATIONS

“The court reaffirms its holding that the mandatory detention provision in 8 U.S.C. § 1225(b)(2) does not apply to individuals like Mr. Lopez Del Valle who are arrested within the interior of the country years after their arrival.”

“The court concludes that the appropriate remedy in this situation is an order requiring the government to provide Mr. Lopez Del Valle with a bond hearing in accordance with 8 U.S.C. § 1226(a) and its implementing regulations.”

FACTUAL BACKGROUND

Antonio Lopez Del Valle, a citizen of Mexico, entered the United States without inspection in 1998. ICE arrested him in New York in August 2025 pursuant to an administrative warrant and transferred him to the Miami Correctional Facility in Indiana. An immigration judge denied his request for bond on the ground that 8 U.S.C. § 1225(b)(2) made him categorically ineligible. He remained detained without an individualized bond hearing.

PROCEDURAL HISTORY

Immigration and Customs Enforcement arrested Lopez Del Valle in August 2025 pursuant to an administrative warrant and initiated removal proceedings. An immigration judge denied bond, concluding that he was

categorically ineligible under 8 U.S.C. § 1225(b)(2). Lopez Del Valle filed this § 2241 petition, and after briefing the district court conditionally granted relief and ordered an individualized bond hearing under § 1226(a), requiring release if the hearing was not provided within seven days.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The respondent must provide Lopez Del Valle with an individualized bond hearing pursuant to 8 U.S.C. § 1226(a) and its implementing regulations on or before March 2, 2026. If the hearing is not provided within that timeframe, the respondent must release him. The respondent must file proof of compliance by March 3, 2026.

CASES CITED

- Clark v. Sweeney, 146 S. Ct. 410, 412 (2025)
- De Jesús Aguilar v. English, No. 3:25-CV-898 DRL-SJF, 2025 WL 3280219, at *8 (N.D. Ind. Nov. 25, 2025)
- Mejia Diaz v. Noem, No. 3:25cv960, 2025 WL 3640419 (N.D. Ind. Dec. 16, 2025)
- Singh v. English, No. 3:25cv962, 2025 WL 3713715 (N.D. Ind. Dec. 23, 2025)
- Castanon-Nava v. U.S. Dep't of Homeland Sec., 161 F.4th 1048, 1061 (7th Cir. 2025)
- Buenrostro-Mendez v. Bondi, No. 25-20496, 2026 WL 323330, at *9 (5th Cir. Feb. 6, 2026)
- Jennings v. Rodriguez, 583 U.S. 281, 303, 306 (2018)
- Cornejo Rivera v. Olson, No. 3:25-CV-1090-CCB-SJF, 2026 WL 81753, at *1 (N.D. Ind. Jan. 12, 2026)
- Bolante v. Keisler, 506 F.3d 618, 621 (7th Cir. 2007)
- K.C. v. Individual Members of Med. Licensing Bd. of Indiana, 121 F.4th 604, 631 (7th Cir. 2024)