

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
KENTUCKY

Amin Hussain A. Alabdulaziz v. Jeff Tindall, et al.

Alabdulaziz · No. 3:26-CV-178-CHB · Decided April 10, 2026

SUMMARY

The United States District Court for the Western District of Kentucky denied Amin Hussain A. Alabdulaziz’s petition for a writ of habeas corpus challenging his continued immigration detention under 8 U.S.C. § 1226(a). Applying the Mathews v. Eldridge balancing test, the court held that the petitioner’s detention did not violate his Fifth Amendment due process rights. The court severed and dismissed without prejudice the petitioner’s claim under the Administrative Procedure Act challenging the immigration judge’s bond determination.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                   |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Kentucky                                                                                                                                                                                                                                                                 |
| WRITING FOR THE COURT | Claria Horn Boom                                                                                                                                                                                                                                                                                                                  |
| JURISDICTION          | United States District Court for the Western District of Kentucky                                                                                                                                                                                                                                                                 |
| DECIDED               | April 10, 2026                                                                                                                                                                                                                                                                                                                    |
| DOCKET                | 3:26-CV-178-CHB                                                                                                                                                                                                                                                                                                                   |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Petitioner sought habeas relief under 28 U.S.C. § 2241, alleging that his continued immigration detention violated the Fifth Amendment and that the immigration judge's bond determination violated the Administrative Procedure Act. The court decided the matter on the parties' briefs after canceling an evidentiary hearing. |
| STANDARD OF REVIEW    | For habeas relief under 28 U.S.C. § 2241, petitioner bore the burden of proving by a preponderance of the evidence that his detention was unlawful. The court applied the three-factor balancing test from Mathews v. Eldridge to petitioner's due process challenge to discretionary detention under 8 U.S.C. § 1226(a).         |
| PRECEDENTIAL VALUE    | unpublished district court opinion                                                                                                                                                                                                                                                                                                |
| PARTIES               | Amin Hussain A. Alabdulaziz v. Jeff Tindall, Samuel Olson, Kristi Noem, Pamela Bondi, et al.                                                                                                                                                                                                                                      |

## TOPICS

immigration detention   procedural due process   substantive due process   administrative procedure act  
judicial review of agency action

## PRACTICE AREAS

immigration   constitutional law   administrative law   civil procedure

## QUESTIONS PRESENTED

1. Whether the district court had jurisdiction to review petitioner's challenge to the immigration judge's discretionary determination that he was a danger or flight risk and should be denied bond.
2. Whether petitioner's approximately eight-month detention under 8 U.S.C. § 1226(a), after an individualized bond hearing and while his immigration appeals were pending, violated the Fifth Amendment's procedural or substantive due process protections.
3. Whether petitioner's claim that the immigration judge made an arbitrary and capricious bond determination under the Administrative Procedure Act could proceed together with his habeas claims.

## HOLDINGS

1. The court lacked jurisdiction under 8 U.S.C. § 1226(e) to review petitioner's challenge to the immigration judge's individual determination that he presented a danger or flight risk and therefore was not entitled to bond.
2. Petitioner's APA claim had to be severed from his habeas claims and dismissed without prejudice.
3. Petitioner's continued detention under § 1226(a) did not violate his Fifth Amendment due process rights.
4. Because petitioner's removal order had not become administratively final while his BIA appeal remained pending, his detention continued to be governed by 8 U.S.C. § 1226(a), not 8 U.S.C. § 1231(a).

## KEY QUOTATIONS

*"Section 1226(e) does not preclude challenges to the statutory framework that permits [an] alien's detention without bail."* (at 6)

*"In short, the agency's decision to detain [Petitioner] was subject to numerous levels of review, each offering [Petitioner] the opportunity to be heard by a neutral decisionmaker."* (at 10)

*"On balance, and under the specific facts of this case, the Mathews factors weigh in favor of Respondents, and Petitioner's detention under § 1226(a) does not violate his due process rights."* (at 12)

## FACTUAL BACKGROUND

Petitioner, a Saudi Arabian citizen who entered the United States on an F-1 student visa, remained after the expiration of his authorized stay and was later detained by ICE when he appeared for an asylum interview. His background check revealed an INTERPOL Red Notice alleging terrorism-related conduct, which the immigration judge considered in denying bond based on danger and flight risk. Petitioner received a bond

hearing with counsel, submitted extensive evidence, and appealed the bond decision to the BIA, but remained detained for approximately eight months while his removal and asylum appeals were pending.

## PROCEDURAL HISTORY

ICE detained petitioner under 8 U.S.C. § 1226(a) after he appeared for an asylum interview. An immigration judge denied bond, and petitioner appealed that decision to the Board of Immigration Appeals; his appeal remained pending. The immigration judge later denied petitioner's asylum application and ordered removal, which petitioner also appealed to the BIA. Petitioner filed this § 2241 petition in the district court. The court severed and dismissed the APA claim without prejudice and denied the habeas petition.

## DISPOSITION

dismissed

## CASES CITED

- Rice v. White, 660 F.3d 242, 249 (6th Cir. 2011)
- Montiel v. Raycraft, No. 1:25-cv-1610, 2026 WL 32076, at \*1 (W.D. Mich. Jan. 6, 2026)
- Hamdi v. Rumsfeld, 542 U.S. 507, 525 (2004)
- Freeman v. Pullen, 658 F. Supp. 3d 53, 58 (D. Conn. 2023)
- Lallave v. Martinez, 609 F. Supp. 3d 164, 171 (E.D.N.Y. 2022)
- Guiracocha v. Noem, No. 26-62-DLB, 2026 WL 622860, at \*2 (Mar. 5, 2026)
- Jennings v. Rodriguez, 583 U.S. 281, 295 (2018)
- Demore v. Kim, 538 U.S. 510, 516-18, 528 (2003)
- Singh v. Holder, 638 F.3d 1196, 1202 (9th Cir. 2012)
- Gutierrez-Chavez v. INS, 298 F.3d 824, 829 (9th Cir. 2002)
- J.O.B. v. United States, No. 3:23-cv-217, 2024 WL 4011825, at \*8 (S.D. Ohio Aug. 30, 2024)
- Cox v. Nord, No. 1:23-cv-324, 2023 WL 5917523, at \*1 (S.D. Ohio Aug. 24, 2023)
- Winburn v. Gidley, No. 2:18-CV-10271, 2018 WL 783489, at \*2 (E.D. Mich. Feb. 7, 2018)
- Aroldo Rodriguez Diaz v. Merrick Garland, Rodriguez Diaz v. Garland, 53 F.4th 1189, 1197, 1206-10 (9th Cir. 2022)
- Matter of Fatahi, 26 I. & N. Dec. 791, 792 (B.I.A. 2016)
- Al-Sadoon v. Lynch, 586 F. Supp. 3d 713, 722 (E.D. Mich. 2022)
- Zadvydas v. Davis, 533 U.S. 678 (2001)
- Ly v. Hansen, 351 F.3d 263 (6th Cir. 2003)
- Chavez-Alvarez v. Warden York County Prison, 783 F.3d 469 (3d Cir. 2015)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- Marquez-Amaya v. Olson, -- F. Supp. 3d --, 2026 WL 525118, at \*9 (W.D. Ky. Feb. 25, 2026)
- Sopo v. U.S. Attorney General, 825 F.3d 1199 (11th Cir. 2016)

- Reid v. Donelan, 819 F.3d 486 (1st Cir. 2016)
- Diop v. ICE/Homeland Sec., 656 F.3d 221 (3d Cir. 2011)
- Igor Borbot v. Warden Hudson County Correctional Facility, Barbot v. Warden Hudson County Correctional Facility, 906 F.3d 274 (3d Cir. 2018)
- Landon v. Plasencia, 459 U.S. 21, 34 (1982)

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