

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

Ramiro Ramirez-Mendez v. Samuel Olson, et al.

Civil Action No. 26-17-DLB (E.D. Ky. Apr. 2, 2026) · No. Civil Action No. 26-17-DLB · Decided April 2, 2026

SUMMARY

The United States District Court for the Eastern District of Kentucky grants Ramiro Ramirez-Mendez’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that his continued immigration detention without a constitutionally adequate custody redetermination hearing violated the Fifth Amendment, despite his conceded detention under 8 U.S.C. § 1225(b)(2). The court orders his immediate release or a bond hearing before an immigration judge within seven days and requires a compliance status report.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                   |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Eastern District of Kentucky, Northern Division                                                                                                                                                                              |
| JURISDICTION       | United States District Court for the Eastern District of Kentucky, Northern Division                                                                                                                                                                              |
| DECIDED            | April 2, 2026                                                                                                                                                                                                                                                     |
| DOCKET             | Civil Action No. 26-17-DLB                                                                                                                                                                                                                                        |
| DISPOSITION        | writ_granted                                                                                                                                                                                                                                                      |
| PROCEDURAL POSTURE | Petitioner sought habeas relief under 28 U.S.C. § 2241 from continued immigration detention without a constitutionally adequate custody redetermination or bond hearing.                                                                                          |
| STANDARD OF REVIEW | The court applied the three-factor procedural due process balancing test from Mathews v. Eldridge: the private interest affected, the risk of erroneous deprivation and value of additional safeguards, and the government’s interest and administrative burdens. |
| PRECEDENTIAL VALUE | unpublished                                                                                                                                                                                                                                                       |
| PARTIES            | Ramiro Ramirez-Mendez v. Samuel Olson, James A. Daley                                                                                                                                                                                                             |

TOPICS

- immigration detention
- federal habeas corpus
- procedural due process
- removal proceedings
- immigration

## PRACTICE AREAS

immigration law

habeas corpus

constitutional law

civil procedure

## QUESTIONS PRESENTED

1. Whether Petitioner's detention violated the Fourth Amendment because he was detained without a warrant, reasonable suspicion, or probable cause.
2. Whether continued mandatory detention under 8 U.S.C. § 1225(b)(2), without an individualized custody redetermination or bond hearing after years of parole, violated Petitioner's Fifth Amendment procedural due process rights.
3. What relief was appropriate for the unconstitutional continued detention.

## HOLDINGS

1. Even assuming Petitioner's arrest or detention violated the Fourth Amendment, the alleged violation did not entitle him to habeas relief because an unlawful arrest does not require suppression of the person, identity, or body of a respondent in a civil immigration proceeding.
2. A noncitizen who was previously paroled into the United States has a protected liberty interest in remaining free from detention, and continued nonpunitive immigration detention without an individualized custody redetermination hearing violates the Fifth Amendment when the government has not provided an adequate justification tied to flight risk or danger.

## KEY QUOTATIONS

*"For the foregoing reasons, Petitioner's continued detention without a custody redetermination hearing is unlawful and a violation of his Fifth Amendment rights."* (10)

*"Non-punitive detention in the immigration context violates the Due Process Clause"*

## FACTUAL BACKGROUND

Ramiro Ramirez-Mendez, a Mexican citizen, was paroled into the United States in June 2018 and subsequently applied for asylum, withholding of removal, and Convention Against Torture protection as a derivative applicant under his mother's application. He obtained employment authorization, complied with the conditions of his release, and had no criminal history. After he was arrested as a passenger in a vehicle stop on August 28, 2025, ICE detained him; an Immigration Judge denied a custody redetermination based on lack of jurisdiction, and Ramirez-Mendez remained detained for more than six months without a bond hearing. His applications for asylum, withholding of removal, and CAT protection were later denied, and he was ordered removed to Mexico.

## PROCEDURAL HISTORY

Ramiro Ramirez-Mendez filed a § 2241 petition challenging his detention by immigration authorities after an Immigration Judge denied a custody redetermination on the ground that the judge lacked jurisdiction under *Matter of Yajure Hurtado*. Respondents filed responses, and Petitioner filed a reply. The district court granted the

petition and ordered Respondents either to release Petitioner or provide a constitutionally adequate bond hearing before an Immigration Judge within seven days.

## DISPOSITION

writ\_granted

## REMAND INSTRUCTIONS

Respondents must immediately release Petitioner or, alternatively, provide him with a constitutionally adequate bond hearing before an Immigration Judge within seven days of the order. Respondents must file a status report by April 16, 2026, certifying compliance and reporting the outcome and reasons for any denial of bond.

## CASES CITED

- Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025)
- Buriev v. Warden, No. 25-cv-60459, 2025 WL 2763202, at \*3 (S.D. Fla. Sept. 26, 2025)
- INS v. Lopez-Mendoza, 468 U.S. 1032, 1039, 1051 (1984)
- Gabriel v. Hermosillo, No. 2:25-cv-02594-DGE-GJL, 2026 WL 194233, at \*5 (W.D. Wash. Jan. 26, 2026)
- United States v. Navarro-Diaz, 420 F.3d 581, 588 (6th Cir. 2005)
- Alvarez-Rico v. Noem, No. 4:26-cv-00729, 2026 WL 522322, at \*3-\*6 (S.D. Tex. Feb. 25, 2026)
- Azalyar v. Raycraft, No. 1:25-cv-916, 2026 WL 30741, at \*3-\*5 (S.D. Ohio Jan. 2, 2026)
- Padilla v. United States Immigration & Customs Enforcement, 704 F. Supp. 3d 1163, 1172, 1174 (W.D. Wash. 2023)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)
- A.A.R.P. v. Trump, 605 U.S. 91, 94 (2025)
- Trump v. J.G.G., 604 U.S. 670, 673 (2025)
- Mathews v. Eldridge, 424 U.S. 319, 321 (1976)
- Hamdi v. Rumsfeld, 542 U.S. 507, 531 (2004)
- Foucha v. Louisiana, 504 U.S. 71, 80 (1992)
- Yamataya v. Fisher, 189 U.S. 86, 101 (1903)
- Goldberg v. Kelly, 397 U.S. 254, 268 (1970)
- Perea-Berrio v. Tate, No. 4:26-cv-01568, 2026 WL 709481, at \*3 (S.D. Tex. Mar. 13, 2026)
- Bonilla Chicas v. Warden, No. 5:26-cv-131, 2026 WL 539476, at \*6, \*10-\*11 (S.D. Tex. Feb. 20, 2026)
- Singh v. Andrews, No. 1:25-cv-801, 2025 WL 1918679, at \*7 (E.D. Cal. July 11, 2025)
- Hernandez-Fernandez v. Lyons, No. 5:25-cv-773, 2025 WL 2976923, at \*9 (W.D. Tex. Oct. 21, 2025)
- Martinez v. Secretary of Noem, No. 5:25-cv-01007-JKP, 2025 WL 2598379, at \*3 (W.D. Tex. Sept. 8, 2025)
- Valencia Zapata v. Kaiser, No. 25-cv-07492, 2025 WL 2578207, at \*9-\*10 (N.D. Cal. Sept. 5, 2025)
- Edahi v. Lewis, No. 4:25-cv-126-RGJ, 2025 WL 3466682, at \*14 (W.D. Ky. Nov. 27, 2025)
- Munoz Materano v. Arteta, No. 25 Civ. 6137, 2025 WL 2630826, at \*15 (S.D.N.Y. Sept. 12, 2025)

- Hernandez v. Sessions, 872 F.3d 976, 990 (9th Cir. 2017)

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