

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

Ed Yayo v. Warden

Yayo · No. 3:26-CV-100-CCB-SJF · Decided May 5, 2026

SUMMARY

The court denied Ed Yayo’s 28 U.S.C. § 2241 habeas petition challenging his immigration detention and removal. The court concluded that Yayo’s Temporary Protected Status had been withdrawn, that alleged unlawful arrest and medical concerns did not authorize habeas relief, and that the court lacked jurisdiction to review the merits or execution of his removal order.

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	May 5, 2026
DOCKET	3:26-CV-100-CCB-SJF
DISPOSITION	other
PROCEDURAL POSTURE	A federal immigration detainee proceeding pro se petitioned for a writ of habeas corpus under 28 U.S.C. § 2241, challenging his detention and asserting that Temporary Protected Status barred his detention and removal. The Warden answered with immigration records, and the petitioner replied.
STANDARD OF REVIEW	The court evaluated whether Yayo was lawfully detained and whether he was entitled to habeas relief under § 2241. The opinion does not state a separate formal standard-of-review formulation.
PRECEDENTIAL VALUE	Unknown; district-court opinion with no reported citation identified
PARTIES	Ed Yayo v. Warden

TOPICS

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subject matter jurisdiction

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Yayo's detention was unlawful when his Temporary Protected Status had been withdrawn.
2. Whether an allegedly unlawful prior arrest invalidated Yayo's subsequent immigration detention.
3. Whether the district court could review the merits of Yayo's removal order or second-guess the Department of Homeland Security's decisions concerning execution of the removal order through a § 2241 habeas petition.
4. Whether Yayo's health concerns and fear of inadequate treatment in Haiti entitled him to release or an order stopping his removal.

HOLDINGS

1. Because USCIS had withdrawn Yayo's Temporary Protected Status, he no longer had TPS-based protection from immigration detention or removal and was not entitled to habeas relief on that ground.
2. An allegedly unlawful arrest does not invalidate a subsequent detention that is otherwise legally authorized.
3. The district court lacked jurisdiction under 8 U.S.C. § 1252(g) to review the merits of the removal order or to second-guess the Department of Homeland Security's discretion concerning when or whether to execute the order.

KEY QUOTATIONS

“An alleged unlawful arrest does not invalidate a subsequent detention that is otherwise authorized.” (at 2)

“Yayo has not presented a reason outside of his now-withdrawn TPS to find his detention is unauthorized.”
(at 2)

FACTUAL BACKGROUND

Yayo, a Haitian citizen, entered the United States in 2006 on a B-2 visitor visa and overstayed. USCIS initially granted him Temporary Protected Status in 2010 but withdrew it in 2021 after identifying potentially disqualifying criminal-history information and receiving no response to its request for additional evidence. ICE detained Yayo in December 2024, and he was ordered removed to Haiti in August 2025. He argued that his detention and removal were unlawful and also cited an allegedly wrongful local arrest, mental-health concerns, and an MRSA infection.

PROCEDURAL HISTORY

Yayo filed a § 2241 habeas petition alleging that his detention was unlawful because he had Temporary Protected Status. The Warden demonstrated that USCIS had withdrawn Yayo's TPS in 2021 after determining that he was ineligible based on his criminal record. Yayo was later detained by ICE, ordered removed to Haiti, and appealed to the Board of Immigration Appeals. The district court denied the habeas petition and directed the clerk to close the case.

DISPOSITION

other

CASES CITED

- *Arias v. Rogers*, 676 F.2d 1139, 1143 (7th Cir. 1982)
- *I.N.S. v. Lopez-Mendoza*, 468 U.S. 1032, 1039 (1984)
- *U.S. ex rel. Bilokumsky v. Tod*, 263 U.S. 149, 158 (1923)
- *Morales-Ramirez v. Reno*, 209 F.3d 977, 979 (7th Cir. 2000)