

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
VIRGINIA, RICHMOND DIVISION

Troy B. Edwards v. Paul Perry, et al.

Edwards · No. 3:26-cv-00226 · Decided May 4, 2026

SUMMARY

The United States District Court for the Eastern District of Virginia dismissed Troy B. Edwards’s 28 U.S.C. § 2241 petition challenging his immigration detention and seeking an individualized bond hearing. The court held that the bond-hearing claim was not ripe because Edwards had not submitted a written bond request to an Immigration Judge and had not been denied such a hearing. The court also concluded that his approximately nine-month detention had not yet become impermissibly prolonged and denied a subsequent request concerning his bond appeal.

CASE DETAILS

COURT	United States District Court for the Eastern District of Virginia, Richmond Division
WRITING FOR THE COURT	M. Hannah Lauck
JURISDICTION	United States District Court for the Eastern District of Virginia, Richmond Division
DECIDED	May 4, 2026
DOCKET	3:26-cv-00226
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241, including an individualized bond hearing, challenging his detention by Immigration and Customs Enforcement. Respondents opposed the petition, and the court considered dismissal under Federal Rule of Civil Procedure 12(b)(1) for lack of subject-matter jurisdiction based on ripeness.
STANDARD OF REVIEW	On a Rule 12(b)(1) motion, the petitioner bears the burden of establishing federal jurisdiction. A factual attack may permit the court to consider evidence outside the pleadings and resolve disputed jurisdictional facts. Ripeness is evaluated by considering the fitness of the issues for judicial decision and the hardship to the parties of withholding review.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion

PARTIES

Troy B. Edwards v. Paul Perry, et al.

TOPICS

immigration detention

federal habeas corpus

removal proceedings

subject matter jurisdiction

due process

PRACTICE AREAS

immigration law

federal habeas corpus

civil procedure

QUESTIONS PRESENTED

1. Whether Edwards's § 2241 claim that he had been denied an individualized bond hearing was ripe when he had not properly requested a bond hearing from an Immigration Judge.
2. Whether Edwards's detention under 8 U.S.C. § 1226 had become impermissibly prolonged and unconstitutional.
3. Whether the court could consider a new prolonged-detention claim raised for the first time in Edwards's response.

HOLDINGS

1. A § 2241 claim alleging denial of an individualized immigration bond hearing is not ripe when the detainee has not filed a written request for a bond hearing with an Immigration Judge and therefore has not been denied such a hearing.
2. On the record presented, Edwards's detention of less than nine months while his removal proceedings remained pending was not impermissibly prolonged and did not yet require a bond hearing.
3. A petitioner may not add a new claim or legal theory for the first time in a responsive brief rather than through an amended pleading.

KEY QUOTATIONS

“A claim for relief “is not ripe for adjudication if it rests upon contingent future events that may not occur as anticipated, or indeed may not occur at all.”” (at 7)

“new legal theories must be added by way of amended pleadings, not by arguments asserted in legal briefs” (at 8)

FACTUAL BACKGROUND

Edwards, a lawful permanent resident and citizen of Trinidad and Tobago, was detained by ICE on July 24, 2025 after being charged with removability based on aggravated-felony convictions for perjury and sexual assault involving object sexual penetration. The Immigration Court sustained removability, ordered him removed, and Edwards appealed to the Board of Immigration Appeals, where the appeal remained pending. Although Edwards sought a bond hearing from the BIA, the record showed that he had not filed a written bond motion with an Immigration Judge.

PROCEDURAL HISTORY

Edwards filed a § 2241 petition on March 27, 2026. The court directed Respondents to address whether the case materially differed from *Duarte Escobar v. Perry*. Respondents filed an opposition, Edwards filed a response, and the court dismissed the petition without reaching the merits because the bond-hearing claim was not ripe; the court also denied Edwards's later filing seeking to relinquish or terminate his bond request.

DISPOSITION

dismissed

CASES CITED

- *Duarte Escobar v. Perry*, 807 F. Supp. 3d 564, 578 (E.D. Va. 2025)
- *Jennings v. Rodriguez*, 583 U.S. 281, 303 (2018)
- *International Longshoremens Ass'n v. Virginia International Terminals, Inc.*, 914 F. Supp. 1335, 1338 (E.D. Va. 1996)
- *McNutt v. General Motors Acceptance Corp.*, 298 U.S. 178, 189 (1936)
- *Adams v. Bain*, 697 F.2d 1213, 1219 (4th Cir. 1982)
- *Richmond, Fredericksburg & Potomac R.R. Co. v. United States*, 945 F.2d 765, 768 (4th Cir. 1991)
- *United States ex rel. Vuyyuru v. Jadhav*, 555 F.3d 337, 348 (4th Cir. 2009)
- *Evans v. B.F. Perkins Co.*, 166 F.3d 642, 647 (4th Cir. 1999)
- *McBurney v. Cuccinelli*, 616 F.3d 393, 409 (4th Cir. 2010)
- *Demore v. Kim*, 538 U.S. 510, 518-21 (2003)
- *S.C. Citizens for Life, Inc. v. Krawcheck*, 301 F. App'x 218, 220-21 (4th Cir. 2008)
- *Allen v. Wright*, 468 U.S. 737, 750 (1984)
- *Powell v. McCormack*, 395 U.S. 486, 496 (1969)
- *Ross v. Reed*, 719 F.2d 689, 693-94 (4th Cir. 1983)
- *Ohio Forestry Ass'n, Inc. v. Sierra Club*, 523 U.S. 726, 732-34 (1998)
- *Miller v. Brown*, 462 F.3d 312, 319 (4th Cir. 2006)
- *Abbott Laboratories v. Gardner*, 387 U.S. 136, 149 (1967)
- *Matter of Joseph*, 22 I. & N. Dec. 799, 805 (BIA 1999)
- *Miranda v. Garland*, 34 F.4th 338, 346-47 (4th Cir. 2022)
- *Snyder v. United States*, 263 F. App'x 778, 779-80 (11th Cir. 2008)
- *E.I. du Pont de Nemours & Co. v. Kolon Industries, Inc.*, 847 F. Supp. 2d 843, 851 n.9 (E.D. Va. 2012)
- *Equity in Athletics, Inc. v. Department of Education*, 504 F. Supp. 2d 88, 111 (W.D. Va. 2007)
- *Portillo v. Hott*, 322 F. Supp. 3d 698, 707-08 (E.D. Va. 2018)
- *Abreu v. Crawford*, No. 1:24-cv-01782 (MSN), 2025 WL 51475, at *5 (E.D. Va. Jan. 8, 2025)
- *Mauricio-Vasquez v. Crawford*, No. 1:16-cv-01422 (AJT/TCB), 2017 WL 1476349, at *4-5 (E.D. Va. Apr. 24, 2017)

- *Haughton v. Crawford*, No. 1:16-cv-634 (LMB/IDD), 2016 WL 5899285, at *9 (E.D. Va. Oct. 7, 2016)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/united-states-district-court-for-the-eastern-district-of-virginia-richmond-division-united-states-di/2026/troy-b-edwards-v-paul-perry-et-al-sr7yzkid>