

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
MICHIGAN, SOUTHERN DIVISION

Alberto Caal-Col v. Kristi Noem et al.

No. 1:25-cv-1591 (W.D. Mich. Dec. 17, 2025) · No. 1:25-cv-1591 · Decided December 17, 2025

SUMMARY

The United States District Court for the Western District of Michigan conditionally grants Alberto Caal-Col's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in § 1225(b)(2)(A), governs the detention of a noncitizen who entered the United States years earlier and was apprehended while residing in the country. The court further concludes that continued detention without an individualized bond hearing violates the Fifth Amendment's Due Process Clause.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                             |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Michigan, Southern Division                                                                                                                                                                                                                                        |
| WRITING FOR THE COURT | Jane M. Beckering                                                                                                                                                                                                                                                                                                           |
| JURISDICTION          | United States District Court for the Western District of Michigan, Southern Division                                                                                                                                                                                                                                        |
| DECIDED               | December 17, 2025                                                                                                                                                                                                                                                                                                           |
| DOCKET                | 1:25-cv-1591                                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | writ_granted                                                                                                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | Petitioner filed a counseled petition for a writ of habeas corpus under 28 U.S.C. § 2241 and a complaint seeking emergency injunctive relief, challenging his immigration detention. After ordering Respondents to show cause, the court conditionally granted habeas relief and ordered a bond hearing or release.         |
| STANDARD OF REVIEW    | The court reviewed the statutory detention question de novo as a question of statutory interpretation and evaluated the adequacy of the detention procedures under the three-factor balancing test of Mathews v. Eldridge. Whether to require prudential exhaustion was committed to the court's sound judicial discretion. |
| PRECEDENTIAL VALUE    | Unknown; federal district court opinion                                                                                                                                                                                                                                                                                     |

## PARTIES

Alberto Caal-Col v. Kristi Noem et al.

## TOPICS

immigration detention

removal proceedings

statutory interpretation

procedural due process

civil procedure

## PRACTICE AREAS

immigration

habeas corpus

constitutional law

civil procedure

remedies

## QUESTIONS PRESENTED

1. Whether prudential administrative exhaustion should be required before the court considers Petitioner's § 2241 challenge to his immigration detention.
2. Whether 8 U.S.C. § 1225(b)(2)(A) or 8 U.S.C. § 1226(a) governs the detention of a noncitizen who entered the United States unlawfully, has resided there for several years, and was apprehended within the country.
3. Whether Petitioner's continued detention without an individualized bond hearing violates the Fifth Amendment Due Process Clause.
4. Whether the United States Secretary of Homeland Security should be dismissed as an improper respondent under the immediate-custodian rule.

## HOLDINGS

1. Prudential exhaustion is not required for Petitioner's § 2241 challenge because the central statutory question is principally legal, the constitutional challenge is not one the BIA can adequately resolve, and administrative review would likely not obviate judicial review. In the alternative, any exhaustion requirement should be waived because exhaustion would be futile and delay would cause hardship.
2. Section 1226(a), rather than § 1225(b)(2)(A), governs the detention of noncitizens who have resided in the United States and were already inside the country when apprehended and arrested.
3. Petitioner's detention under the mandatory-detention framework of § 1225(b)(2)(A) violates the Fifth Amendment because § 1226(a)'s discretionary detention framework requires an individualized bond hearing.
4. The Secretary of Homeland Security should not be dismissed as a respondent because retaining that official ensures that the court's conditional habeas relief can be enforced if Petitioner is transferred outside the district.

## KEY QUOTATIONS

*“Accordingly, for the above-discussed reasons, the Court concludes that § 1226(a), not § 1225(b)(2)(A), governs noncitizens, such as Petitioner, who have resided in the United States and were already within the United States when apprehended and arrested.”* (Discussion IV.A)

*“In sum, the Court’s balancing of the Mathews factors weighs in Petitioner’s favor. Accordingly, the Court concludes that Petitioner’s current detention under the mandatory detention framework set forth in § 1225(b)(2)(A) violates Petitioner’s Fifth Amendment due process rights.” (Discussion IV.B)*

*“The Court will order Respondents to provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the date of this Court’s Opinion and Judgment or, in the alternative, immediately release Petitioner from custody.” (Conclusion)*

## FACTUAL BACKGROUND

Petitioner is a Guatemalan citizen who entered the United States in June 2022 as a minor without being admitted or paroled. ICE arrested him in Chicago on October 22, 2025, and charged him with inadmissibility under INA §§ 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I). He was detained at the North Lake Processing Center and had a master calendar hearing scheduled in immigration court, but the record did not show that a bond hearing had been scheduled.

## PROCEDURAL HISTORY

Caal-Col was arrested by ICE on October 22, 2025, and detained at the North Lake Processing Center. He filed this action on November 27, 2025. The court issued a show-cause order on December 2, Respondents responded on December 5, and the court issued its opinion and judgment on December 17, 2025.

## DISPOSITION

writ\_granted

## REMAND INSTRUCTIONS

Respondents must provide Petitioner with a bond hearing under 8 U.S.C. § 1226(a) within five business days of the opinion and judgment, or immediately release him from custody. Respondents must file a status report within six business days certifying compliance and stating whether a bond hearing occurred, whether bond was granted or denied, the conditions of any bond, or the reasons for denial.

## CASES CITED

- Hamdi v. Rumsfeld, 542 U.S. 507, 525, 529 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 687, 690 (2001)
- A. A. R. P. v. Trump, 145 S. Ct. 1364, 1367 (2025)
- Shearson v. Holder, 725 F.3d 588, 593–94 (6th Cir. 2013)
- McCarthy v. Madigan, 503 U.S. 140, 144 (1992)
- Island Creek Coal Co. v. Bryan, 937 F.3d 738, 746 (6th Cir. 2019)
- Pizarro Reyes v. Raycraft, No. 25-cv-12546, 2025 WL 2609425, at \*3–5 (E.D. Mich. Sept. 9, 2025)
- Hernandez Torrealba v. U.S. Dep’t of Homeland Sec., No. 1:25-cv-1621, 2025 WL 2444114, at \*8 (N.D. Ohio Aug. 25, 2025)

- Lopez-Campos v. Raycraft, No. 2:25-cv-12486, 2025 WL 2496379, at \*4–6, \*9 (E.D. Mich. Aug. 29, 2025)
- United States v. California Care Corp., 709 F.2d 1241, 1248 (9th Cir. 1983)
- McGee v. United States, 402 U.S. 479, 484 (1971)
- McKart v. United States, 395 U.S. 185, 193–95 (1969)
- Shweika v. Dep’t of Homeland Sec., No. 1:06-cv-11781, 2015 WL 6541689, at \*12 (E.D. Mich. Oct. 29, 2015)
- Loper Bright Enters. v. Raimondo, 144 S. Ct. 2244, 2266, 2273 (2024)
- Shalala v. Ill. Council on Long Term Care, Inc., 529 U.S. 1, 13 (2000)
- Rodriguez v. Bostock, 779 F. Supp. 3d 1239, 1245 (W.D. Wash. 2025)
- Hibbs v. Winn, 542 U.S. 88, 101 (2004)
- Corley v. United States, 556 U.S. 303, 314 (2009)
- Kentucky v. Biden, 23 F.4th 585, 603 (6th Cir. 2022)
- In re Vill. Apothecary, Inc., 45 F.4th 940, 947 (6th Cir. 2022)
- King v. Burwell, 576 U.S. 473, 486 (2015)
- Roberts v. Sea-Land Servs., Inc., 566 U.S. 93, 101 (2012)
- Hing Sum v. Holder, 602 F.3d 1092, 1100–01 (9th Cir. 2010)
- Martinez v. Hyde, 792 F. Supp. 3d 211, 218 (D. Mass. July 24, 2025)
- TRW Inc. v. Andrews, 534 U.S. 19, 31 (2001)
- Pulsifer v. United States, 144 S. Ct. 718, 735 (2024)
- Yates v. United States, 574 U.S. 528, 537, 552 (2015)
- Dubin v. United States, 143 S. Ct. 1557, 1567–68 (2023)
- Jennings v. Rodriguez, 583 U.S. 281, 287–89 (2018)
- United States v. Silvestre-Gregorio, 983 F.3d 848, 852–56 (6th Cir. 2020)
- Günaydin v. Trump, 784 F. Supp. 3d 1175, 1187 (D. Minn. 2025)
- Hernandez-Lara v. Lyons, 10 F.4th 19, 28 (1st Cir. 2021)
- Velasco Lopez v. Decker, 978 F.3d 842, 851 (2d Cir. 2020)
- Sampiao v. Hyde, No. 1:25-cv-11981-JEK, 2025 WL 2607924, at \*12 (D. Mass. Sept. 9, 2025)
- Braden v. 30th Jud. Cir. Ct. of Ky., 410 U.S. 484, 494–95 (1973)
- Roman v. Ashcroft, 340 F.3d 314, 322, 325–26 (6th Cir. 2003)