

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Samuel Eliseo Diaz-Murica v. Kelei Walker, et al.

Samuel Eliseo Diaz-Murica v. Kelei Walker, No. 1:26-cv-20972-GAYLES (S.D. Fla. Mar. 31, 2026) · No. 1:26-cv-20972-GAYLES · Decided March 31, 2026

SUMMARY

The United States District Court for the Southern District of Florida granted in part a habeas petition challenging the detention of Samuel Eliseo Diaz-Murica. The Court held that he was detained under 8 U.S.C. § 1226(a), rather than § 1225(b)(2), and therefore was entitled to an individualized bond hearing or release. The Court dismissed without prejudice the remaining due process and statutory-authority claims and excused exhaustion as futile.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	March 31, 2026
DOCKET	1:26-cv-20972-GAYLES
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking an individualized bond hearing.
STANDARD OF REVIEW	The court reviewed the statutory basis for Petitioner's detention and considered whether prudential exhaustion should be excused as futile.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential
PARTIES	Samuel Eliseo Diaz-Murica v. Kelei Walker, in her official capacity as Field Office Director of U.S. Immigration and Customs Enforcement Miami Field Office, Kristi Noem, Secretary of the United States Department of Homeland Security, Pamela Bondi, Attorney General of the United States

TOPICS

immigration detention

removal proceedings

procedural due process

statutory interpretation

civil procedure

PRACTICE AREAS

immigration law

habeas corpus

constitutional law

administrative law

QUESTIONS PRESENTED

1. Whether Petitioner was detained under 8 U.S.C. § 1225(b)(2), which provides for mandatory detention without bond, or 8 U.S.C. § 1226(a), which authorizes discretionary detention and release on bond.
2. Whether the court should dismiss the habeas petition for failure to exhaust administrative remedies.
3. Whether the court should reach Petitioner's substantive due process and statutory no-authority-to-detain claims after granting relief on the bond-hearing claim.

HOLDINGS

1. A noncitizen who has been living in the United States and was apprehended while already present in the country is detained under 8 U.S.C. § 1226(a), rather than the mandatory-detention provision of § 1225(b)(2), when the record does not establish that the noncitizen was seeking admission. Petitioner was therefore entitled to an individualized bond hearing under § 1226(a).
2. Prudential exhaustion was excused because a subsequent bond appeal to the Board of Immigration Appeals would have been futile in light of *Matter of Yajure Hurtado*.
3. The court declined to reach the merits of the substantive due process and statutory claims because the bond-hearing claim provided the requested relief; those claims were dismissed without prejudice as unripe and could be renewed if Respondents failed to provide the ordered hearing.

KEY QUOTATIONS

“Habeas is at its core a remedy for unlawful executive detention.” (II)

“The Court agrees that the plain reading of the statute supports a finding that Petitioner, who has been living in the United States since 2004, is governed by § 1226(a) and not § 1252(b)(2).” (III.A)

“exhaustion is not required where . . . an administrative appeal would be futile.” (III.B)

FACTUAL BACKGROUND

Petitioner, a Salvadoran national, entered the United States without inspection in 2021 as an unaccompanied minor and was released to his aunt in Florida. He later filed an asylum application and, after a 2025 traffic stop, was taken into immigration custody and placed at the Broward Transitional Center. An Immigration Judge denied bond jurisdiction and later pretermitted his asylum application under the Ecuador Asylum Cooperative Agreement. Petitioner had no criminal history involving violence, controlled substances, or conduct posing a danger to the community.

PROCEDURAL HISTORY

Petitioner filed a habeas petition alleging substantive due process, procedural due process, and statutory detention claims. Respondents opposed the petition, arguing that Petitioner was detained under the mandatory-detention provision of 8 U.S.C. § 1225(b)(2), and also argued that administrative remedies had not been exhausted. The court held that Petitioner was detained under 8 U.S.C. § 1226(a), granted relief in part by ordering an individualized bond hearing or release, and dismissed the remaining claims without prejudice.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondents shall provide Petitioner an individualized bond hearing consistent with 8 U.S.C. § 1226(a) on or before April 13, 2026, or otherwise release him. Counts I and III were dismissed without prejudice, and Petitioner may renew those claims if Respondents fail to provide the hearing.

CASES CITED

- *Munaf v. Geren*, 553 U.S. 674, 693 (2008)
- *Puga v. Assistant Field Off. Dir., Krome N. Serv. Processing Ctr.*, No. 25-24535-CIV, 2025 WL 2938369 (S.D. Fla. Oct. 15, 2025)
- *Nguyen v. Parra*, No. 25-CV-25325-JB, 2025 WL 3451649 (S.D. Fla. Dec. 1, 2025)
- *Jennings v. Rodriguez*, 583 U.S. 281, 289, 306 (2018)
- *Gomes v. Hyde*, No. 25-cv-11571, 2025 WL 1869299 (D. Mass. July 7, 2025)
- *Merino v. Ripa*, 2025 WL 2941609 (S.D. Fla. 2025)
- *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025)
- *Buenrostro-Mendez v. Bondi*, 166 F.4th 494, 509 (5th Cir. 2026)
- *Lobovillalobos v. Hardin*, No. 2:26-cv-00446, 2026 WL 621380, at *2 n.1 (M.D. Fla. Mar. 5, 2026)
- *Ardon-Quiroz v. Assistant Field Dir.*, No. 25-CV-25290-JB, 2025 WL 3451645 (S.D. Fla. Dec. 1, 2025)
- *Linfors v. United States*, 673 F.2d 332, 334 (11th Cir. 1982)
- *Von Hoffberg v. Alexander*, 615 F.2d 633, 638 (5th Cir. 1980)
- *Kemokai v. U.S. Att'y Gen.*, 83 F.4th 886, 891 (11th Cir. 2023)
- *Babilla v. Allstate Ins. Co.*, No. 20-cv-1434, 2020 WL 6870610 (M.D. Fla. Aug. 27, 2020)