

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

Ricardo Perez Ramirez v. Russell Hott, et al.

Civil Action No. 2:25-cv-00156-SCM (E.D. Ky. Jan. 28, 2026) · No. 2:25-cv-00156-SCM · Decided January 28,
2026

SUMMARY

The United States District Court for the Eastern District of Kentucky denies Ricardo Perez Ramirez’s habeas petition challenging his detention without a bond hearing during removal proceedings. The court holds that 8 U.S.C. § 1225(b)(2)(A), rather than § 1226(a), governs because Ramirez entered the United States without inspection and is therefore deemed an applicant for admission, making his detention mandatory. The court also rejects his Fifth Amendment due process claim and concludes that a nationwide class action judgment from the Central District of California does not bind the court.

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	January 28, 2026
DOCKET	2:25-cv-00156-SCM
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner sought federal habeas relief under 28 U.S.C. § 2241, arguing that his detention without a bond hearing during removal proceedings violated the Immigration and Nationality Act and the Fifth Amendment.
STANDARD OF REVIEW	The court reviewed the habeas petition to determine whether the petitioner's detention was unlawful under the governing immigration statutes and the Fifth Amendment.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion; persuasive authority only
PARTIES	Ricardo Perez Ramirez v. Russell Hott, Kristi Noem, Pamela Bondi, Todd M. Lyons, James Daley

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1225(b)(2)(A), rather than 8 U.S.C. § 1226(a), governs the detention of a noncitizen who entered the United States without inspection and was later apprehended during removal proceedings.
2. Whether § 1225(b)(2)(A) requires mandatory detention without a bond hearing for such a noncitizen.
3. Whether mandatory detention under § 1225(b)(2)(A) violates the petitioner's Fifth Amendment due-process rights.
4. Whether relief issued in *Maldonado Bautista v. Santacruz* required the Eastern District of Kentucky to order a bond hearing for the petitioner.

HOLDINGS

1. A noncitizen present in the United States who has not been admitted is deemed an applicant for admission under 8 U.S.C. § 1225(a)(1). Because Ramirez entered without inspection and was not admitted, § 1225(b)(2)(A), rather than § 1226(a), governs his detention.
2. Section 1225(b)(2)(A) requires mandatory detention during removal proceedings when an immigration officer determines that an applicant for admission is not clearly and beyond a doubt entitled to be admitted; it does not provide a right to a bond hearing.
3. Applying § 1225(b)(2)(A) to unadmitted noncitizens does not render § 1226(c) or the Laken Riley Act superfluous because those provisions impose a distinct temporal requirement concerning when covered noncitizens must be taken into custody.
4. The petitioner's detention under § 1225(b)(2)(A) did not violate the Fifth Amendment because he received the process Congress provided for noncitizens in his position.
5. The Central District of California's orders in *Maldonado Bautista* did not bind the Eastern District of Kentucky or require a bond hearing for Ramirez.

KEY QUOTATIONS

“But he is not entitled to a bond hearing. To the contrary, the applicable statutory language provides that he “shall be detained” during removal proceedings.” (Opening paragraph)

“The plain language of the statute permits no other conclusion.” (Section II.A)

“However, their right to due process goes no further than the process Congress has chosen to give them.” (Section II.B)

“So the Central District of California plainly did not order any kind of relief that would bind this Court, which means that its opinions in Maldonado Bautista can have no more than persuasive authority.” (Section II.C)

FACTUAL BACKGROUND

Ricardo Perez Ramirez, a Mexican citizen, entered the United States without inspection in 2005. ICE apprehended and detained him on September 2, 2025, and served him with a Notice to Appear charging removability based on his unlawful entry. During removal proceedings, Ramirez sought cancellation of removal and a bond hearing, but DHS detained him without bond.

PROCEDURAL HISTORY

Ramirez, a Mexican citizen detained by ICE after being charged with removability for entering the United States without inspection, filed a habeas petition seeking release or a bond hearing. After the parties filed responses and a reply, Ramirez submitted supplemental authority concerning a nationwide class action in the Central District of California. The Eastern District of Kentucky denied the petition and stated that a separate judgment would be entered.

DISPOSITION

denied

CASES CITED

- Matter of Yajure Hurtado, 29 I. & N. Dec. 216 (BIA 2025)
- Munaf v. Geren, 553 U.S. 674 (2008)
- Singh v. Noem, No. 2:25-cv-00157-SCM, 2026 WL 74558 (E.D. Ky. Jan. 9, 2026)
- Montoya Cabanas v. Bondi, No. 4:25-cv-04830, 2025 WL 3171331 (S.D. Tex. Nov. 13, 2025)
- Singh v. Noem, No. Civ 25-1110 JB/KK, 2026 WL 146005 (D.N.M. Jan. 20, 2026)
- Mejia Olalde v. Noem, No. 1:25-CV-00168-JMD, 2025 WL 3131942 (E.D. Mo. Nov. 10, 2025)
- Jennings v. Rodriguez, 583 U.S. 281 (2018)
- Dubin v. United States, 599 U.S. 110 (2023)
- Almendarez-Torres v. United States, 523 U.S. 224 (1998)
- Bhd. of R.R. Trainmen v. Balt. & Ohio R.R., 331 U.S. 519 (1947)
- Rimini St., Inc. v. Oracle USA, Inc., 586 U.S. 334 (2019)
- Bilski v. Kappos, 561 U.S. 594 (2010)
- Abdullah v. Am. Airlines, Inc., 181 F.3d 363 (3d Cir. 1999)
- Atl. Richfield Co. v. Christian, 590 U.S. 1 (2020)
- Gomez Hernandez v. Lyons, No. 1:25-CV-216-H, 2026 WL 31775 (N.D. Tex. Jan. 6, 2026)
- Coronado v. Sec'y, Dep't of Homeland Sec., No. 1:25-cv-831, 2025 WL 3628229 (S.D. Ohio Dec. 15, 2025)
- Heckler v. Cmty. Health Servs. of Crawford Cnty., Inc., 467 U.S. 51 (1984)

- FCC v. Fox Television Stations, Inc., 556 U.S. 502 (2009)
- Zadvydas v. Davis, 533 U.S. 678 (2001)
- Dep't of Homeland Sec. v. Thuraissigiam, 591 U.S. 103 (2020)
- Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025)
- Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861 (C.D. Cal. Dec. 2025)
- Maldonado Bautista v. Santacruz, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3713987 (C.D. Cal. Dec. 18, 2025)
- Moyao Roman v. Olson, No. 2:25-cv-169-DLB-CJS, 2025 WL 3268403 (E.D. Ky. Nov. 24, 2025)
- P.B. v. Bergami, No. 3:25-CV-2978-O, 2025 WL 3632752 (N.D. Tex. Dec. 13, 2025)
- Altamirano Ramos v. Lyons, No. 2:25-cv-09785-SVW-AJR, 2025 WL 3199872 (C.D. Cal. Nov. 12, 2025)
- Gallegos Rodriguez v. Noem, No. 9:25-CV-320, 2025 WL 3639440 (E.D. Tex. Dec. 10, 2025)
- Barrios Sandoval v. Acuna, No. 6:25-CV-1467, 2025 WL 3048926 (W.D. La. Oct. 31, 2025)
- Vargas Lopez v. Trump, No. 8:25CV526, 2025 WL 2780351 (D. Neb. Sept. 30, 2025)
- Guadalupe Sixtos Chavez v. Noem, No. 3:25-cv-02325-CAB-SBC, 2025 WL 2730228 (S.D. Cal. Sept. 24, 2025)