

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Keita Boubacar v. Pamela Bondi, et al.

Boubacar · No. 8:26CV59 · Decided February 12, 2026

SUMMARY

The United States District Court for the District of Nebraska orders immigration officials to show cause why Keita Boubacar’s habeas petition challenging his detention should not be granted. The court establishes an expedited briefing schedule, requires service of the petition and order, and prohibits Boubacar’s removal from the United States or the District of Nebraska pending further order.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	Dusan Dages
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	February 12, 2026
DOCKET	8:26CV59
DISPOSITION	other
PROCEDURAL POSTURE	Petition for a writ of habeas corpus challenging immigration detention; the court issued an order to show cause and interim relief preserving the status quo.
STANDARD OF REVIEW	The court applied the threshold standard under 28 U.S.C. § 2243, determining whether it appeared from the petition that the petitioner was not entitled to relief.
PRECEDENTIAL VALUE	Likely nonprecedential interlocutory district-court order
PARTIES	Keita Boubacar v. Pamela Bondi, in her official capacity as Attorney General of the United States, Todd Lyons, in his official capacity as Acting Director, Immigration and Customs Enforcement, Allen Gill, in his official capacity as Field Office Director of Omaha, Rob Jeffreys, in his official capacity as Director of Nebraska Department of Corrections, Department of Homeland Security

TOPICS

- immigration detention
- removal proceedings
- injunctions
- civil procedure
- immigration

PRACTICE AREAS

immigration

habeas corpus

civil procedure

remedies

QUESTIONS PRESENTED

1. Whether the petition should proceed under 28 U.S.C. § 2243 when the court could not determine from the face of the petition that Boubacar was not entitled to habeas relief.
2. Whether good cause existed to allow respondents more than the ordinary three-day period to respond to the habeas petition.
3. Whether the court could temporarily prohibit Boubacar's removal to preserve the status quo and the court's jurisdiction while adjudicating the habeas petition.

HOLDINGS

1. When the court cannot determine from the face of a habeas petition that the petitioner is not entitled to relief, it must order the respondent to show cause why the writ should not be granted.
2. The court may allow additional time for a response upon a showing of good cause and may temporarily prohibit removal to preserve the status quo and the court's jurisdiction while the habeas petition is adjudicated.

KEY QUOTATIONS

“The habeas statute provides that the Court must grant the petition for a writ or order Respondents to “show cause why the writ should not be granted unless it appears from the application that [Boubacar] is not entitled” to relief.”

“Further, the Court finds cause to preserve the status quo and the Court’s jurisdiction by ordering that Boubacar may not be removed from the United States or the District of Nebraska until further order of this Court.”

FACTUAL BACKGROUND

Keita Boubacar is a Guinean national and citizen who entered the United States in 2024 and was served with a Notice to Appear initiating removal proceedings. Respondents detained him in November 2025 after a scheduled check-in at an Enforcement and Removal Operations office. He was held at the McCook ICE Detention Center and alleged that he was mandatorily detained under 8 U.S.C. § 1225(b)(2) without a bond hearing.

PROCEDURAL HISTORY

Boubacar filed a petition for a writ of habeas corpus alleging that he was unlawfully detained under 8 U.S.C. § 1225(b)(2) without a bond hearing. The court determined that the petition did not establish on its face that Boubacar was not entitled to relief, ordered service and a return by respondents, established a briefing schedule, and temporarily barred his removal from the United States or the District of Nebraska pending further order.

DISPOSITION

other

CASES CITED

- A.A.R.P. v. Trump, 145 S. Ct. 1364, 1368 (2025)

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