

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MAINE

Roselande Moise v. Kevin Joyce, et al.

No. 2:25-cv-00578-JAW (D. Me. Jan. 5, 2026) · No. 2:25-cv-00578-JAW · Decided January 5, 2026

SUMMARY

The United States District Court for the District of Maine grants Roselande Moise’s petition for a writ of habeas corpus challenging her immigration detention. The court holds that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in § 1225(b)(2), governs her detention and requires an individualized bond hearing. The court orders her release subject to prior release conditions pending a bond hearing within fourteen days and requires a subsequent status report.

CASE DETAILS

COURT	United States District Court for the District of Maine
WRITING FOR THE COURT	John A. Woodcock, Jr.
JURISDICTION	United States District Court for the District of Maine
DECIDED	January 5, 2026
DOCKET	2:25-cv-00578-JAW
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention.
STANDARD OF REVIEW	The court determined habeas jurisdiction under 28 U.S.C. § 2241 and evaluated the procedural due process claim under the three-factor balancing test of Mathews v. Eldridge. Moise bore the burden of showing by a preponderance of the evidence that her detention violated the Fifth Amendment.
PRECEDENTIAL VALUE	Unknown; federal district court order
PARTIES	Roselande Moise v. Kevin Joyce, et al.

TOPICS

- immigration detention
- removal proceedings
- procedural due process
- statutory interpretation
- injunctions

PRACTICE AREAS

- immigration law
- habeas corpus
- constitutional law
- civil procedure

QUESTIONS PRESENTED

1. Whether the District of Maine retained jurisdiction over Moise's § 2241 habeas petition when she was physically present in the district at the time of filing.
2. Whether Moise's 2025 detention was governed by the mandatory-detention provision of 8 U.S.C. § 1225(b)(2) or the discretionary-detention provision of § 1226(a).
3. Whether detaining Moise without a bond hearing violated the Due Process Clause of the Fifth Amendment.
4. Whether Moise's Fourth Amendment claim required resolution.

HOLDINGS

1. The court retained jurisdiction because Moise was physically present in the District of Maine when she filed her habeas petition.
2. Because DHS initially placed Moise in removal proceedings under § 1226(a), her later detention was governed by § 1226(a)'s discretionary-detention framework rather than § 1225(b)(2)'s mandatory-detention scheme.
3. Moise's continued detention without a bond hearing violated the Fifth Amendment Due Process Clause.
4. The court did not reach Moise's Fourth Amendment claim because resolution of her due process claim provided a sufficient basis for habeas relief.

KEY QUOTATIONS

“Finding the government’s detention of a noncitizen violates due process, the court grants the noncitizen’s petition for writ of habeas corpus and orders the government provide the noncitizen a bond hearing within fourteen days and release her pending the bond hearing subject to the release conditions from the government’s December 2023 order of release on recognizance.”

“Section 1226(a) thus “establishes a discretionary detention framework for noncitizens.””

“Accordingly, because Ms. Moise “was originally detained under § 1226(a) when she entered” the country in 2023, “her more recent arrest should have been governed by § 1226(a) as well.””

“Finding Respondents’ continued detention of Ms. Moise without a bond hearing violates federal law and the Fifth Amendment of the United States Constitution”

FACTUAL BACKGROUND

Roselande Moise, a Haitian citizen, entered the United States on December 6, 2023, and was placed in removal proceedings. DHS issued her a notice to appear and an order releasing her on recognizance on December 7, 2023, and the court found that the proceedings were initiated under the discretionary-detention framework of 8 U.S.C. § 1226(a). Law enforcement detained her on November 4, 2025, and transferred her to ICE custody the next day, with DHS treating her as subject to mandatory detention under § 1225(b)(2) and denying her a bond hearing.

PROCEDURAL HISTORY

Moise filed a § 2241 habeas petition on November 19, 2025, alleging that her immigration detention violated federal law and the Constitution. The court ordered respondents to show cause, received their opposition and Moise's reply, and resolved the matter on stipulated facts and briefing without an evidentiary hearing or oral argument.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents must release Moise subject to the conditions in her December 7, 2023 order of release on recognizance until she receives a bond hearing. Respondents must provide a bond hearing under 8 U.S.C. § 1226(a)(2) within fourteen days and file a status report within five days after the hearing stating whether bond was granted and, if denied, the reasons for denial.

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 435, 442 (2004)
- *Carbo v. United States*, 364 U.S. 611, 618 (1961)
- *Mahmoud Khalil v. Joyce*, No. 25-cv-01963 (MEF)(MAH), 2025 U.S. Dist. LEXIS 63573, at *7 (D.N.J. Apr. 1, 2025)
- *United States v. Hayman*, 342 U.S. 205, 213 (1952)
- *Ahrens v. Clark*, 335 U.S. 188, 190 (1948)
- *Jennings v. Rodriguez*, 583 U.S. 281, 287-89, 297 (2018)
- *Dept. of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 108 (2020)
- *Gomes v. Hyde*, No. 1:25-cv-11571, 2025 Dist. LEXIS 128085, at *4-5 (D. Mass. Jul. 7, 2025)
- *Hernandez-Lara v. Lyons*, 10 F.4th 19, 27-28, 33, 41 (1st Cir. 2021)
- *Mata Velasquez v. Kurzdorfer*, 794 F. Supp. 3d 128, 143 (W.D.N.Y. 2025)
- *Augustin v. Sava*, 735 F.2d 32, 36-37 (2d Cir. 1984)
- *Lopez v. Trump*, No. 2:25-cv-863, 2025 U.S. Dist. LEXIS 233128, at *6, *14-15 (D. Vt. Nov. 17, 2025)
- *Mercado v. Francis*, No. 25-cv-6582 (LAK), 2025 U.S. Dist. LEXIS 232876, at *9-10 & n.22 (S.D.N.Y. Nov. 26, 2025)
- *Caiza v. Scott*, No. 1:25-cv-00500-JAW, 2025 U.S. Dist. LEXIS 195270, at *7-8 (D. Me. Oct. 2, 2025)
- *Chafila v. Scott*, No. 2:25-cv-00437-SDN, 2025 U.S. Dist. LEXIS 184909, at *29, *34 (D. Me. Sept. 21, 2025)
- *Sampiao v. Hyde*, No. 1:25-cv-11981-JEK, 2025 U.S. Dist. LEXIS 175513, at *25-26 (D. Mass. Sept. 9, 2025)
- *De Oliveira*, 2025 U.S. Dist. LEXIS 125776, at *8
- *Aditya W.H. v. Trump*, 782 F. Supp. 3d 691, 703 (D. Minn. 2025)
- *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)

- Hamdi v. Rumsfeld, 542 U.S. 507, 529 (2004)
- Zadvydas v. Davis, 533 U.S. 678, 690, 693 (2001)
- Rodrigues de Oliveira v. Joyce, No. 2:25-cv-00291-LEW, 2025 U.S. Dist. LEXIS 125776, at *11 (D. Me. July 2, 2025)

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