

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IGNACIO BORJAS RIOS,

Petitioner,

v.

KEVIN RAYCRAFT et al.,

Respondents.

Case No. 25-13726

Honorable Laurie J. Michelson

ORDER FOR PETITIONER AND RESPONDENTS TO SHOW CAUSE

Ignacio Borjas Rios is a noncitizen who has lived in the United States since 1995 and has no criminal history. (ECF No. 1, PageID.2, 7.) On October 30, 2025, immigration officers arrested him without a warrant while he was doing landscaping work in River Grove, Illinois. (*Id.* at PageID.7–8.) He is now being detained at North Lake Processing Center in Baldwin, Michigan and has not received a bond hearing. (*Id.*) Borjas Rios filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 alleging that his continued detention without a bond hearing violates the Immigration and Nationality Act and his right to due process. (*Id.*)

As a noncitizen who has been residing in the United States for many years, Borjas Rios argues that his detention is governed by 8 U.S.C. § 1226(a) of the INA, which “allows for release on conditional parole or bond.” (*Id.* at PageID.5–6.) As such, he asserts that he is entitled to a bond hearing. (*Id.*) The government disagrees. It

says that he is properly detained under 8 U.S.C. § 1225(b)(2)(A) of the INA, which mandates detention. (*Id.* at PageID.5.)

Recently, the Court ruled on this very issue, concluding, like many other courts throughout this District, Circuit, and country, that the government is misinterpreting the INA by mandating detention for bond-hearing-eligible detainees. *Robledo Gonzalez v. Raycraft*, No. 25-13502, 2025 WL 3218242, at *3 (E.D. Mich. Nov. 17, 2025) (collecting cases).

Shortly thereafter, a judge in the Central District of California addressed this same issue and entered a summary judgment ruling consistent with this Court's *Robledo Gonzalez* ruling. *See Bautista v. Santacruz*, No. 25-01873, 2025 U.S. Dist. LEXIS 233085, at *4 (C.D. Cal. Nov. 20, 2025). Importantly, that court also certified a nationwide class. The class includes:

[a]ll noncitizens in the United States without lawful status who (1) have entered or will enter the United States without inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the Department of Homeland Security makes an initial custody determination.

Bautista v. Santacruz, No. 25-01873, 2025 U.S. Dist. LEXIS 231977, at *4 (C.D. Cal. Nov. 25, 2025).

Petitioner Borjas Rios appears to fall within this class. As raised in his Petition, he is a noncitizen who entered without inspection, was not apprehended upon arrival in 1995, and has no criminal history. (*See* ECF No. 1.)

Accordingly, the parties are hereby ORDERED to show cause, in writing, by December 10, 2025, as to whether the *Bautista* nationwide class action and summary judgment rulings govern this Petition and to explain why or why not.

SO ORDERED.

Dated: December 5, 2025

s/Laurie J. Michelson
LAURIE J. MICHELSON
UNITED STATES DISTRICT JUDGE