UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

WILSON FLORES GRANADOS, Petitioner, v. RONNIE WOODALL, *in his official capacity as Warden, Baker Correctional Institution,* KEVIN GUTHRIE, *in his official capacity as Director of Florida Division of Emergency Management* GARRETT RIPA, *Field Office Director ICE Miami Field Office* and TODD LYONS, *in his official capacity as Acting Director of Immigration and Customs Enforcement* and KRISTI NOEM *Secretary of Homeland Security,* Respondents.	Case No. 3:26-cv-18 **PETITION FOR WRIT OF HABEAS CORPUS** A [redacted]

I. INTRODUCTION

1. Petitioner Wilson Flores Granados ("Petitioner" or "Mr. Granados") is a noncitizen long-time resident of the United States who is currently detained by the Department of Homeland Security ("DHS") at the Baker Correctional Facility (a/k/a Deportation Depot). He entered the United States without inspection years ago and was arrested at the border; he is not and has never been placed in expedited-removal proceedings.

2. Under the Immigration and Nationality Act ("INA"), individuals arrested in the interior and placed in § 240 removal proceedings are detained, if at all, under C(a), with a right to a custody redetermination by an Immigration

Judge ("IJ").

3. DHS and the BIA assert that because Mr. Granados was never formally admitted, he is an "applicant for admission" subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) and ineligible for bond. That position contravenes the statute, the implementing regulations, decades of pattern & practice, and hundreds of court decisions across the country have found this to be legal error. **(Exhibit A, *List of Cases rejecting the reasoning in Matter of Yajure Hurtado*).**

4. Petitioner seeks a writ of habeas corpus directing Respondents to provide him a prompt, individualized bond hearing before a neutral adjudicator under § 1226(a) (within 7 days), at which the Government bears the burden to show by clear and convincing evidence that he is a danger or flight risk, or, in the alternative, an order for his immediate release under reasonable conditions. He also seeks an order prohibiting transfer outside this District during the pendency of these proceedings.

II. VENUE AND JURISDICTION

5. This Court has jurisdiction under 28 U.S.C. §§ 2241 and 1331 and Article I, § 9, cl. 2 of the U.S. Constitution (the Suspension Clause). Habeas relief is available to challenge the legality of civil immigration detention and to compel a bond hearing or release.

6. Venue lies in the Middle District of Florida because Petitioner is confined at the Baker Correctional Institution in Sanderson, Baker County

within this Division and Respondent Woodall is his immediate custodian. See 28 U.S.C. §§ 2241(d), 1391(e).

III. PARTIES

7. Petitioner Wilson Flores Granados is an El Salvador national who resides in Winston-Salem, North Carolina. He is currently detained at the facility referred to as Deportation Depot in Baker County, Florida.

8. Respondent Ronnie Woodall is the Warden of Baker Correctional Institution. As such, Respondent is responsible for the operation of the Detention Center where Mr. Granados is detained. Respondent Woodall has immediate physical custody of the Petitioner. Respondent Woodall is sued in his official capacity.

9. Respondent Kevin Guthrie is the Executive Director of the Florida Division of Emergency Management. As such, Respondent is responsible for the operation of the Detention Center where Mr. Granados is detained. Respondent Guthrie has immediate physical custody of the Petitioner. Respondent Guthrie is sued in his official capacity.

10. Respondent Garrett Ripa is the Miami Field Office Director ("FOD") for ICE Enforcement and Removal Operations ("ERO"). As such, Respondent Ripa is responsible for the oversight of ICE operations at the Detention Center where Mr. Granados is detained. Respondent Ripa is being sued in his official capacity.

11. Respondent Todd Lyons is the Acting Director of Immigration and

Customs Enforcement ("ICE"). As such, Respondent Lyons is responsible for the oversight of ICE operations. Respondent Lyons is being sued in his official capacity.

12. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (hereinafter "DHS"). As Secretary of DHS, Secretary Noem is responsible for the general administration and enforcement of the immigration laws of the United States. Respondent Secretary Noem is being sued in her official capacity.

IV. EXHAUSTION AND FUTILITY

13. No statute imposes an exhaustion requirement for habeas petitions under 28 U.S.C. § 2241 in this context. Any prudential exhaustion is excused because Immigration Judges in the Orlando Immigration Court are claiming to be bound by *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), and have been declining bond jurisdiction for entrants without inspection even post *Maldonado-Bautista v. Noem*. The immigration judge has indeed done so in this case **(Exhibit B, Bond Order)**. The question presented is purely legal and urgent, and Petitioner faces ongoing deprivation of physical liberty absent judicial intervention.

V. STATEMENT OF FACTS

14. Mr. Granados is a Salvadoran national born on [redacted]. He entered the United States without inspection in January 2003, when he was twenty-five years old, and has lived continuously in the United States since that

time. He resides in Winston-Salem, North Carolina.

15. Mr. Granados is prima facie eligible for Cancellation of Removal.

16. On December 3, 2025, DHS placed Petitioner in removal proceedings under 8 U.S.C. § 1228 (INA § 240) by issuing a Notice to Appear (NTA) (dated and allegedly served on the same date) charging him as removable under 8 U.S.C. § 1182(a)(6)(A)(i) (INA § 212(a)(6)(A)(i)). **(Exhibit C, Notice to Appear).**

17. DHS has never processed Petitioner for § 235 admission or expedited removal under § 235(b)(1).

18. Petitioner has requested a custody redetermination, but jurisdiction was denied because DHS and the BIA have taken the position that he is categorically ineligible for bond because he is an "applicant for admission" under § 235(b)(2)(A). Requesting a custody redetermination proved futile. as the IJ took the position that he is bound to deny jurisdiction under *Yajure*.

VI. LEGAL FRAMEWORK FOR RELIEF SOUGHT

19. Section 236(a) of the INA, 8 U.S.C. § 1226(a), governs discretionary civil immigration detention for "any alien" arrested and detained pending a decision on removal, unless § 236(c) applies. It authorizes release on bond and gives Immigration Judges custody-redetermination authority by regulation. See 8 C.F.R. §§ 1236.1(d)(1), 1003.19(a).

20. The detainer process is a recognized mechanism for cooperation between federal and local authorities in immigration enforcement, as outlined

in 8 C.F.R. § 287.7. The situation where a subject is arrested by local law enforcement, ICE lodges a detainer, and local law enforcement subsequently transfers custody to ICE is consistent with the scope of Section 236 custody under immigration law.

21. Section 235(b)(2) of the INA, 8 U.S.C. § 1225(b)(2), governs detention in the inspection context and the classes designated for expedited removal—settings that occur at or near the border and, by regulation, only for individuals described in published Federal Register notices. *See* 8 C.F.R. § 235.3(b)(1)–(2). Interior expedited removal is limited to certain encounters and, at most, to those who cannot show two years' continuous presence. 84 Fed. Reg. 35,409 (July 23, 2019). Individuals—like Petitioner—who were arrested in the interior long after entry and placed in § 240 proceedings are detained, if at all, under § 1226(a).

22. Recently, multiple courts have rejected DHS's "mandatory detention for anyone not 'admitted'" theory, holding that § 1225(b)(2) is limited to "aliens seeking admission" and that § 1226(a) governs custody for noncitizens arrested inside the United States who are not actively seeking lawful admission. Reading §§ 1225 and 1226 together, § 1225(b)(2) is a narrow "catchall," but "it only catches 'aliens seeking admission,'" whereas § 1226(a) preserves discretionary custody with a bond hearing for those arrested here. They have further found *Yajure Hurtado* unpersuasive and emphasized that Congress's text and canons of construction control. *See* **Exhibit A**. This is the

same result also reached in *Bautista v. Sec'y Kristi Noem*, 2:25-cv-996, 2025 U.S. Dist. LEXIS 227222 ((M.D.Fla. November 19, 2025). On this record the remedy should match: apply § 1226(a) and order a prompt bond hearing under the regulations.

VII. CAUSES OF ACTION

COUNT ONE
STATUTORY CLAIM (Detention Governed by INA § 236(a))

23. Petitioner incorporates paragraphs 1 through 22 as if fully set out herein.

24. Section 235(b)(2)(A) does not govern Petitioner's detention because he was not encountered during inspection and is not within any class designated for expedited removal by published notice. Reading § 1225(b)(2)(A) to govern all never-admitted noncitizens regardless of when and where they were arrested would nullify Congress's express two-year limit on interior expedited removal and collapse the statute's two-track scheme. Under § 1226(a) and its implementing regulations, Petitioner is entitled to a prompt bond hearing before a neutral adjudicator.

COUNT TWO
PROCEDURAL DUE PROCESS (U.S. Const. amend. V)

25. Petitioner incorporates paragraphs 1 through 22 as if fully set out herein.

26. Prolonged civil detention without a neutral bond hearing violates procedural due process. If Respondents' position categorically forecloses any IJ bond review for interior arrestees like Petitioner, it denies a meaningful

opportunity to be heard and invites arbitrary confinement. At minimum, due process requires a prompt bond hearing at which the Government bears the burden to justify detention by clear and convincing evidence.

COUNT THREE
SUBSTANTIVE DUE PROCESS (U.S. Const. amend. V)

27. Petitioner incorporates paragraphs 1 through 22 as if fully set out herein.

28. Civil detention must remain reasonably related to its purposes of ensuring appearance and protecting the community. Detaining Petitioner without any individualized assessment, solely on a categorical theory rejected by this Court days ago, bears no reasonable relation to any legitimate aim and is excessive in relation to its purposes.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

1) Assume jurisdiction over this matter;
2) Issue a writ of habeas corpus directing Respondents to provide Petitioner a bond hearing under 8 U.S.C. § 1226(a) before an Immigration Judge within 7 days of the Court's order, with the Government bearing the burden to establish that Petitioner is a danger to the community or a flight risk, and to consider alternatives to detention;
3) Enjoin Respondents from transferring Petitioner outside the jurisdiction of this Court during the pendency of these proceedings;
4) Order Respondents to answer the petition within 3 business days;

Grant such other relief as the Court deems just and proper.

Respectfully submitted this 5th day of January, 2026

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EXHIBIT A