UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SERGIO MIRELES-CERDA,

Petitioner,

v.

Angela Dunbar, WARDEN, NORTH LAKE CORRECTIONAL FACILITY;
Kevin Raycraft, ICE DETROIT FIELD OFFICE DIRECTOR;
Todd M. Lyons, ACTING DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;
Kristi Noem, SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY; and
Pamela Bondi, ATTORNEY GENERAL OF THE UNITED STATES; and
Daren K. Margolin, DIRECTOR, EXECUTIVE OFFICE OF IMMIGRATION REVIEW, U.S. DEPARTMENT OF JUSTICE.
in their official capacities

Respondents.

Case No.

Hon. Judge

PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241, COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF, AND REQUEST FOR EXPEDITED CONSIDERATION

1. Petitioner Sergio Mireles-Cerda respectfully petitions for a writ of habeas corpus under 28 U.S.C. § 2241. He is a Citizen of Mexico who entered the United States in 2020 at age 18 and has lived here for nearly six years. He was taken into ICE custody on March 3, 2026 at an ICE check-in, is now detained at North Lake Correctional Facility in Baldwin, Michigan, and has not been provided a bond hearing. ICE has placed him in removal proceedings and is detaining him without the process that 8 U.S.C. § 1226(a) and the Fifth Amendment require.

JURISDICTION

2. This action arises under the Constitution and laws of the United States. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in federal custody and challenges the legality of that custody. This Court also has jurisdiction under 28 U.S.C. § 1331 and the Suspension Clause.

3. Venue is proper in this District because Petitioner is confined at North Lake Correctional Facility in Lake County, Michigan, and the immediate custody challenged here is being exercised within the Western District of Michigan.

PARTIES

4. **PETITIONER Sergio Mireles-Cerda** is a noncitizen presently detained by U.S. Immigration and Customs Enforcement at the North Lake Correctional Facility in Baldwin, Michigan.

5. **Respondent Angela Dunbar** is the Warden of North Lake Correctional Facility. She is sued in her official capacity and is a proper respondent because Petitioner is confined at that facility and she is the immediate custodian.

6. **Respondent Kevin Raycraft** is the ICE Detroit Field Office Director. He is sued in his official capacity and is a proper respondent because he exercises legal authority over Petitioner's immigration custody.

7. **Respondent Todd M. Lyons** is the Acting Director of U.S. Immigration and Customs Enforcement. He is sued in his official capacity and is a proper respondent because ICE is the agency responsible for Petitioner's detention.

8. **Respondent Kristi Noem, Secretary** of the U.S. Department of Homeland Security. He is

sued in her official capacity and is a proper respondent because DHS is the department ultimately responsible for Petitioner's immigration detention and custody decisions.

9. **Respondent Pamela Bondi** is the Attorney General of the United States. She is sued in her official capacity because the Department of Justice oversees the Executive Office for Immigration Review, under which Petitioner's removal proceedings are conducted.

10. **Respondent Daren K. Margolin** is the Director of the Executive Office for Immigration Review, U.S. Department of Justice. He is sued in his official capacity because EOIR is the agency responsible for administering Petitioner's immigration court proceedings.

CUSTODY AND RELEVANT FACTS

11. Petitioner was born on [redacted] and is a citizen of Mexico.

12. He entered the United States in 2020 without inspection and has remained in this country since then. He reports no prior removals and no departures since entry.

13. Before detention, Petitioner lived in Michigan with his family. His partner, Gabriela Cedros Sifuentes, and their two young U.S.-citizen children, ages three and one reside in the United States. Petitioner was working and helping support his household before ICE took him into custody.

14. Petitioner reports no arrest history, no pending criminal charges, and no criminal convictions. He identified only a traffic ticket from approximately three years ago.

15. On March 3, 2026, ICE detained Petitioner at an ICE check-in and transferred him to North Lake Correctional Facility.

16. Petitioner reports that ICE has not provided him with a bond hearing. He has not received a constitutionally adequate custody determination by a neutral decisionmaker.

17. Petitioner also reports that he has an I-130 family-based petition that has been pending for approximately two years. In immigration court, he has filed an I-589 application and is pursuing asylum. His next hearing is a master calendar hearing set for March 23, 2026.

18. Petitioner's ongoing detention is causing financial and emotional hardship to his family, including his very young U.S.-citizen children.

GROUNDS FOR RELIEF

19. Petitioner realleges and incorporates by reference the preceding paragraphs.

Ground One: Unlawful detention under 28 U.S.C. § 2241. Habeas corpus is the traditional mechanism for challenging unlawful custody. Section 2241 authorizes federal courts to grant relief to persons held in custody in violation of the Constitution or laws of the United States.

20. Petitioner realleges and incorporates by reference the preceding paragraphs.

Ground Two: Improper statutory basis for detention. Petitioner has lived in the interior of the United States for years and is in ongoing removal proceedings. As applied to him, detention without access to bond is not authorized by the immigration detention statutes. At a minimum, the government must provide the process that accompanies detention under 8 U.S.C. § 1226(a).

21. Petitioner realleges and incorporates by reference the preceding paragraphs.

Ground Three: Violation of the Fifth Amendment Due Process Clause. Continued civil immigration detention without a meaningful opportunity to seek release, and without an individualized determination of flight risk or danger, violates due process.

REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully asks this Court to assume jurisdiction over this matter;

22. Assume jurisdiction over this matter and require a prompt return under 28 U.S.C. § 2243;
23. Grant Petitioner's emergency motion for expedited briefing and set a compressed schedule for Respondents' return and Petitioner's reply;
24. Enter a temporary restraining order and preliminary injunction preserving the status quo, including by prohibiting Respondents from removing Petitioner from the United States or transferring him outside the Detroit Field Office's custody chain, except for court appearances, bona fide medical emergencies, or release processing within Michigan after notice to counsel;
25. Issue a writ of habeas corpus ordering Petitioner's immediate release on recognizance;
26. In the alternative, order a custody hearing before this Court, or order a prompt bond hearing under 8 U.S.C. § 1226(a) within five business days, at which DHS bears the burden by clear and convincing evidence, the adjudicator considers Petitioner's ability to pay and alternatives to detention, and any grant of release may not be stayed automatically under 8 C.F.R. § 1003.19(i)(2);
27. If release is ordered by this Court or by an immigration judge, prohibit Respondents from imposing GPS monitoring, ankle shackles, home confinement, curfews, travel restrictions, or other conditions not expressly ordered by the Court or the immigration judge;
28. Declare that Petitioner's detention is governed by 8 U.S.C. § 1226(a), not 8 U.S.C. § 1225(b)(2)(A);

29. Order that any release be implemented in a meaningful and orderly way, including by requiring at least 24 hours' notice to counsel of the time and location of release, release during ordinary business hours at the Detroit ICE Field Office or another mutually agreed Michigan location, return of all personal property and medications, provision of release paperwork, and return of identity documents or written receipts for any originals retained by the Government;
30. Order that Petitioner not be re-detained absent materially changed circumstances and lawful process consistent with the Constitution and this Court's order;
31. Award fees and costs under the Equal Access to Justice Act, 28 U.S.C. § 2412, and on any other basis authorized by law; and
32. Grant any further relief that law and justice require.

Respectfully submitted,

/s/ Farah Hobballah
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Dated: March 16, 2026

Certificate of Service

I hereby certify that on March 16, 2026, I electronically filed the foregoing Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 with the Clerk of the Court using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Farah Hobballah
Farah Hobballah, Esq.