IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

FILED
U.S. District Court
District of Kansas
09/02/2026
Clerk, U.S. District Court
By: SND Deputy Clerk

ROBINSON LEANDRO ALVAREZ SOTO,

Petitioner,

v.

Warden, Midwest Regional Reception Center; ROBERT GUADIAN, Field Office Director, ICE; MARKWAYNE MULLIN, Secretary, DHS; and TODD BLANCHE, Acting Attorney General,

Respondents.

Case No. 26-3267-JWL

MEMORANDUM AND ORDER

Petitioner, acting *pro se*, filed a petition for habeas corpus under 28 U.S.C. § 2241, by which he challenges his detention by immigration officials. For the reasons set forth below, the Court **denies** the petition.

Petitioner filed his petition on July 28, 2026. The Court ordered expedited briefing, and respondents filed an answer to the petition, but petitioner did not file a reply brief by the ordered deadline; accordingly, the matter is ripe for ruling.

In summary fashion, petitioner claims that his detention violates due process (although he does not say why); that there is no legal authority for his detention; and that he has been denied the opportunity to seek release on bond. Respondents have provided evidence, however, that on August 11, 2026, the immigration court ordered petitioner's removal, with petitioner waiving the right to appeal that ruling. Accordingly, because he

is subject to a final removal order, petitioner is subject to mandatory detention under 8 U.S.C. § 1231(a). Moreover, the 90-day removal period afforded by that statute has not expired. Accordingly, petitioner's detention does not violate the applicable statute. Nor has petitioner explained how his mandatory detention within the removal period violates due process. Thus, petitioner has not shown that his detention violates federal law, and the Court therefore denies the petition.[1]

IT IS THEREFORE ORDERED BY THE COURT THAT the petition for habeas corpus pursuant to 28 U.S.C. § 2241 is hereby **denied**.

IT IS SO ORDERED.

Dated this 2nd day of September, 2026, in Kansas City, Kansas.

/s/ John W. Lungstrum
Hon. John W. Lungstrum
United States District Judge

[1] The petition is also subject to denial because petitioner – both at the time he filed this action and by the deadline imposed in the Court's notice of deficiency – failed either to pay the filing fee or to file a motion to proceed without payment of the fee.