

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 4 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

AI-YEE LIU,

Petitioner - Appellant,

v.

MARKWAYNE MULLIN, Secretary, U.S.
Department of Homeland Security;
UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT;
UNKNOWN PARTY, Warden, Florence
Service Processing Center; TODD
BLANCHE, Acting Attorney General,

Respondents - Appellees.

No. 26-1

D.C. No.

2:25-cv-04793-SMB--JFM

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona

Susan M. Brnovich, District Judge, Presiding

Submitted July 29, 2026**

Before: McKEOWN, TALLMAN, and MENDOZA, JR., Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Ai-Yee Liu appeals from the district court’s judgment dismissing her 28 U.S.C. § 2241 habeas corpus petition. We have jurisdiction under 28 U.S.C. § 1291. We review de novo, *see Martinez v. Clark*, 124 F.4th 775, 781 (9th Cir. 2024), and we vacate and remand.

Liu contends the district court erred by summarily dismissing her § 2241 petition. We agree. Liu’s petition raises cognizable, non-frivolous claims regarding her detention. We vacate the district court’s December 19, 2025, judgment and order dismissing her § 2241 petition and remand for the district court to direct the government to be served and to file a response. *See Neiss v. Bludworth*, 114 F.4th 1038, 1047 (9th Cir. 2024) (“petition alleged a cognizable, non-frivolous claim, and thus, the district court erred by summarily dismissing his petition”); *see also id.* at n.2 (remanding to the district court for further proceedings without weighing in on the merits of the petition).

The motion to stay removal (Docket Entry Nos. 4, 8) is denied as moot.

VACATED and REMANDED.