

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

Igor Andreyka v. Leonard Oddo, et al.

Andreyka · No. Civil No. 26-62 · Decided June 9, 2026

SUMMARY

The court denied Igor Andreyka’s motion to enforce or reconsider a prior order granting him an individualized immigration bond hearing, or alternatively to permit limited discovery. The court held that the bond hearing satisfied due process because the record was disclosed, counsel was permitted to present arguments, and the immigration judge made an individualized determination; the court lacked jurisdiction to review the discretionary bond decision itself.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Joy Flowers Conti
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	June 9, 2026
DOCKET	Civil No. 26-62
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved to enforce or reconsider an earlier habeas order, or alternatively to permit limited discovery, arguing that the immigration bond hearing ordered by the court was constitutionally defective.
STANDARD OF REVIEW	The court reviewed only whether the immigration bond hearing was fundamentally unfair and violated due process; it lacked jurisdiction to review discretionary determinations underlying the immigration judge's bond decision.
PRECEDENTIAL VALUE	unpublished district court memorandum opinion
PARTIES	Igor Andreyka v. Leonard Oddo, et al.

TOPICS

- immigration detention
- procedural due process
- due process
- motion for reconsideration
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court had jurisdiction to review the immigration judge's discretionary bond determination.
2. Whether the April 22, 2026 immigration bond hearing was fundamentally unfair and violated due process because Andreyka was not permitted to testify, the immigration judge allegedly lacked neutrality, and the oral and written explanations were allegedly inadequate.
3. Whether the court should enforce or reconsider its prior order or permit limited discovery concerning the bond hearing.

HOLDINGS

1. The district court may review whether an immigration bond hearing was fundamentally unfair in violation of due process, but it lacks jurisdiction to review the discretionary determinations underlying the immigration judge's bond decision.
2. The bond hearing was fundamentally fair and satisfied due process because the record was produced and disclosed, Andreyka was permitted to make arguments through counsel, and the immigration judge made an individualized determination based on his circumstances.

KEY QUOTATIONS

“The United States Court of Appeals for the Third Circuit has advised that a bond hearing under 8 U.S.C. § 1226 is “fundamentally fair,” and thus satisfies due process, if three essential elements are present: (1) factfinding based on a record produced before the decisionmaker and disclosed to the detainee; (2) the detainee is allowed to make arguments on his or her behalf; and (3) the immigration judge makes an individualized determination of the detainee’s interests.” (Analysis section)

“Federal courts “lack jurisdiction to review any discretionary determinations underlying the [immigration judge’s] bond decision,” and may only “review whether the bond hearing was fundamentally unfair” such that it violates the detainee’s due process rights.” (Analysis section)

FACTUAL BACKGROUND

Andreyka was detained in immigration custody and sought a bond hearing under 8 U.S.C. § 1226(a). At the ordered hearing, the immigration judge considered evidence concerning Andreyka's 2023 DUI arrest, including observations of alcohol consumption and poor performance on roadside evaluations; counsel explained that the charge was withdrawn after an alcohol training course and that Andreyka had no further criminal history. The immigration judge denied bond, and the district court found that the hearing included disclosed evidence, an opportunity for counsel to make arguments, and an individualized assessment based substantially on the DUI arrest.

PROCEDURAL HISTORY

Andreyka, a citizen of Belarus, filed a habeas petition asserting that he was subject to discretionary detention under 8 U.S.C. § 1226(a), rather than mandatory detention under § 1225(b)(2), and was entitled to a bond hearing. The court granted the petition in part on April 15, 2026, ordering an individualized bond hearing before a neutral immigration judge. After the hearing occurred on April 22, 2026, Andreyka challenged its fairness; the district court denied his motion.

DISPOSITION

other

CASES CITED

- Ghanem v. Warden Essex Cnty. Corr. Facility, No. 21-1908, 2022 WL 574624, at *2 (3d Cir. Feb. 25, 2022)
- Quinteros v. Warden Pike Cnty. Corr. Facility, 784 F. App'x 75, 78 (3d Cir. 2019)
- Jeddou v. Warden of Delaney Hall Det. Ctr., No. 2:26-CV-01203, 2026 WL 1005052, at *2 (D.N.J. Apr. 14, 2026)

OPINION

ANDREYKA

PER CURIAM.

IN THE UNITED STATES DISTRICT COURT

FOR THE WESTERN DISTRICT OF PENNSYLVANIA

)

IGOR ANDREYKA,)

Petitioner,)) Civil No. 26-62 v.)) LEONARD ODDO, et. al.,) Respondents.)

MEMORANDUM OPINION

Pending before the court is a motion to enforce court order, or reconsider court order, or permit limited discovery (ECF No. 16) filed on behalf of petitioner Igor Andreyka (“Petitioner”), with brief and exhibits in support (ECF No. 17). Leonard Oddo, et.al (“Respondents”) filed a response in opposition (ECF No. 20), and Petitioner’s motion is ripe for decision. Petitioner, a citizen of Belarus, filed a petition for Writ of Habeas Corpus (ECF No. 1) asserting that he is subject to discretionary detention pursuant to 8 U.S.C. § 1226(a) and not mandatory detention under § 1225(b)(2) and, therefore, that he is entitled to a bond hearing. On April 15, 2026, the court granted the Petition in part, and ordered that within ten days, Petitioner must receive an individualized bond hearing before a neutral immigration judge pursuant to 8 U.S.C. § 1226 (ECF No. 13). In the pending motion, Petitioner admits that a bond hearing was held on April 22, 2026, and that the government opposed the bond request based on danger to the community (ECF No. 17 at 8). He argues, however, that the hearing was constitutionally defective. Among other things, Petitioner argues the immigration judge was not neutral, did not give Petitioner an opportunity to assuage her concerns about his driving under the influence (“DUI”) arrest three years ago, she did

not let him testify, and the written decision did not permit meaningful appellate review. Respondents argue the motion should be denied. They contend: (1) Petitioner did not exhaust his administrative remedies by appealing the denial of bond to the Board of Immigration Appeals; (2) this court cannot overturn the immigration judge's discretionary bond decision; and (3) the record confirms that he had a hearing that satisfies due process.

Federal courts "lack jurisdiction to review any discretionary determinations underlying the [immigration judge's] bond decision," and may only "review whether the bond hearing was fundamentally unfair" such that it violates the detainee's due process rights. *Ghanem v. Warden Essex Cnty. Corr. Facility*, No. 21-1908, 2022 WL 574624, at *2 (3d Cir. Feb. 25, 2022); see also *Quinteros v. Warden Pike Cnty. Corr. Facility*, 784 F. App'x 75, 78 (3d Cir. 2019) ("Because we lack jurisdiction to review any discretionary determinations underlying the [immigration judge's] bond decision, we are limited to reviewing only those of [Appellant's] challenges that pertain to the adequacy of process he received at his bond hearing."). The United States Court of Appeals for the Third Circuit has advised that a bond hearing under 8 U.S.C. § 1226 is "fundamentally fair," and thus satisfies due process, if three essential elements are present: (1) factfinding based on a record produced before the decisionmaker and disclosed to the detainee; (2) the detainee is allowed to make arguments on his or her behalf; and (3) the immigration judge makes an individualized determination of the detainee's interests. *Ghanem*, 2022 WL 574624 at *2; see also *Quinteros*, 784 F. App'x at 78. This court's review of the bond hearing is limited to considering whether the hearing was fundamentally fair under *Ghanem*. The court reviewed the unofficial transcript of the April 22, 2026 bond hearing, which was provided by Petitioner (ECF No. 17-4). The record reflects that both Petitioner and the government submitted evidence to the immigration judge in advance of the hearing and the government's evidence was made available to Petitioner. The record reflects that Andreyka was arrested for a DUI offense on January 17, 2023, at 2:35 a.m. Police observed a strong odor of alcohol. Andreyka's counsel explained that Andreyka was heading home because his mother was having a medical episode, the DUI charge was withdrawn after Andreyka completed an alcohol training course, and he had no further criminal history. ECF No. 17-4 at 1-2. Andreyka's counsel, nevertheless, recognized that "DUIs are a significant adverse factor to consider." ECF No. 17-4 at 2. The immigration judge reviewed the arrest record and noted that Andreyka consumed six glasses of vodka and did not perform well on the roadside evaluations. ECF No. 17-4 at 4. While Petitioner was not permitted to testify¹, counsel for Petitioner was allowed to make arguments and proffered facts on his client's behalf. The immigration judge provided an oral explanation for his decision on the record, which enabled this court to meaningfully review the decision. ECF No. 17-2 at 4. The decision was based largely on Petitioner's DUI arrest – that is an individualized circumstance, which the immigration judge considered (ECF No. 17-4 at 4).² The immigration judge was not convinced by counsel's argument that Petitioner no longer posed a danger to the community, but that conclusion by the immigration judge is not sufficient to show that the hearing was fundamentally 1 Whether to

permit testimony is a discretionary decision for the immigration judge. See *Jeddou v. Warden of Delaney Hall Det. Ctr.*, No. 2:26-CV-01203, 2026 WL 1005052, at *2 (D.N.J. Apr. 14, 2026) (denying habeas petition based on argument that immigration judge deprived Petitioner of an opportunity to testify). Here, the immigration judge explained, on the record, that based on his review of the record, Petitioner's testimony would not help: "Nothing would help at this point. Counsel, your client shouldn't have gotten intoxicated and driven a motor vehicle is the bottom line and especially if you're in the country unlawfully and hope to stay here[. E]ven if you're in the country lawfully if you hope to stay here and don't have status yet you absolutely should not be getting in a car and driving under the influence of alcohol or committing any crime." ECF No. 17-4 at 5. 2 The government also argued that Petitioner was a flight risk. unfair. This court lacks jurisdiction to overturn the immigration judge's discretionary determination. In sum, the bond hearing met each of the essential elements of a fundamentally fair bond hearing, and was sufficient to comply with Petitioner's due process rights. Having reached those conclusions, any other arguments are beyond the jurisdiction of this court. See *Ghanem*, 2022 WL 574624 at *2 Conclusion For the reasons set forth above, the motion to enforce court order, or reconsider court order, or permit limited discovery (ECF No. 16) will be denied. An appropriate order will be entered. Dated: June 9, 2026 BY THE COURT: /s/ Joy Flowers Conti Joy Flowers Conti Senior United States District Court Judge