

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Utashvili v. Rose

Utashvili · No. 1:26cv243 · Decided March 6, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania granted Zura Utashvili’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that 8 U.S.C. § 1225(b)(2) (A) did not authorize his mandatory detention because he had been residing in the interior of the United States, and that his continued detention without a bond hearing violated due process. The court ordered his immediate release, permanently barred re-detention under § 1225(b)(2)(A), and imposed related temporary and procedural requirements.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Julia K. Munley
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 6, 2026
DOCKET	1:26cv243
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and seeking release.
STANDARD OF REVIEW	The court reviewed the legality of Utashvili's detention under its habeas jurisdiction and applied the Mathews v. Eldridge procedural-due-process balancing test.
PRECEDENTIAL VALUE	unpublished district court memorandum order; persuasive only
PARTIES	Zura Utashvili v. Michael T. Rose, Acting Field Office Director of Enforcement and Removal Operations, Philadelphia Field Office, Immigration and Customs Enforcement, Craig Lowe, Warden, Pike County Correctional Facility

TOPICS

- immigration detention
- procedural due process
- statutory interpretation
- equitable relief
- civil procedure

PRACTICE AREAS

immigration

immigration detention

habeas corpus

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether an individual who entered the United States without admission and was later arrested in the interior is an "alien seeking admission" subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A), rather than discretionary detention under § 1226(a).
2. Whether continued detention without a bond hearing under § 1225(b)(2)(A) violated Utiashvili's procedural due process rights.
3. Whether habeas relief including immediate release and prospective injunctive relief was appropriate.

HOLDINGS

1. Section 1225(b)(2)(A) does not apply to Utiashvili because, although he was an unadmitted applicant for admission under § 1225(a)(1), he was not actively and ongoingly seeking admission when arrested after residing in the interior of the United States for approximately two years. His detention was instead governed by § 1226(a).
2. Utiashvili's continued detention without an opportunity for a bond hearing violated the Due Process Clause of the Fifth Amendment.
3. The court had authority to order Utiashvili's release and to enjoin respondents from re-detaining him under § 1225(b)(2)(A). It also temporarily enjoined rearrest for fourteen days to ensure the habeas remedy's effectiveness.

KEY QUOTATIONS

"for purposes of immigration detention, the border is now everywhere."

"Utiashvili's continued detention without bond under Section 1225(b)(2)(A) violates his due process rights."

FACTUAL BACKGROUND

Utiashvili entered the United States near San Ysidro, California, in December 2023, was briefly detained, and was then released on his own recognizance subject to ICE's Alternatives to Detention program. He complied with his scheduled ICE appearance and there was no evidence that he violated the release conditions, although there was evidence of noncompliance with ATD requirements. After residing in the interior of the United States for approximately two years, he was arrested by ICE in January 2026 and detained at the Pike County Correctional Facility under 8 U.S.C. § 1225(b)(2)(A), without a bond hearing.

PROCEDURAL HISTORY

Utiashvili filed a § 2241 habeas petition while detained at the Pike County Correctional Facility. He challenged the government's classification of him as an applicant for admission subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A), asserted violations of due process, and sought immediate release. The district court

granted the petition, ordered his immediate release, imposed permanent and temporary injunctions governing future detention and rearrest, and closed the case.

DISPOSITION

writ_granted

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004)
- *Jennings v. Rodriguez*, 583 U.S. 281, 288, 297 (2018) (Alito, J., plurality opinion)
- *Buenrostro-Mendez v. Bondi*, 166 F.4th 494, 508-21 (5th Cir. 2026) (Douglas, J., dissenting)
- *Meeran v. Rose*, No. 3:26CV187, 2026 WL 540379, at *2 n.3 (M.D. Pa. Feb. 26, 2026)
- *Chaudhari v. Rose*, No. 3:26-CV-242, 2026 WL 540378, at *4 n.4 (M.D. Pa. Feb. 26, 2026)
- *Quispe v. Rose*, No. 3:25-CV-2276, 2025 WL 3537279, at *5-*7 (M.D. Pa. Dec. 10, 2025)
- *Patel v. O'Neil*, No. 3:25-CV-2185, 2025 WL 3516865, at *5-*6
- *Centeno Ibarra v. Warden of the Federal Detention Center Philadelphia*, No. CV 25-6312, 2025 WL 3294726, at *6 (E.D. Pa. Nov. 25, 2025)
- *Castanon-Nava v. Department of Homeland Security*, 161 F.4th 1048, 1061 (7th Cir. 2025)
- *Nielsen v. Preap*, 586 U.S. 392, 397-98 (2019)
- *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)
- *Cunin v. McShane*, No. 3:25-CV-1887, 2025 WL 3542999, at *2 (M.D. Pa. Dec. 10, 2025)
- *Bethancourt Soto v. Soto*, No. 25-CV-16200, 2025 WL 2976572, at *8 (D.N.J. Oct. 22, 2025)
- *Boumediene v. Bush*, 553 U.S. 723, 779 (2008)
- *Kashranov v. Jamison*, No. 2:25-CV-05555-JDW, 2025 WL 3188399, at *8 (E.D. Pa. Nov. 14, 2025)
- *Vadel v. Lowe*, No. 3:25-CV-02452, 2025 WL 3772059, at *1 n.1 (M.D. Pa. Dec. 31, 2025)
- *Michelin v. Warden Moshannon Valley Correctional Center*, No. 24-2990, 2026 WL 263483, at *1-*2, *10 (3d Cir. Feb. 2, 2026)
- *Villa Hernandez v. Kunes*, No. 1:25-CV-01847, 2026 WL 411726, at *7 (M.D. Pa. Feb. 13, 2026)