

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Jasvir Singh v. Michael Rose, et al.

Singh · No. Civil No. 1:26-CV-00347 · Decided March 6, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania grants Jasvir Singh’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that mandatory detention under 8 U.S.C. § 1225(b)(2)(A) does not apply because Singh, who had previously entered and resided in the United States, was not currently seeking admission. The court concludes that detention without a bond hearing violated procedural due process and orders Singh’s immediate release on his own recognizance.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Jennifer P. Wilson
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 6, 2026
DOCKET	Civil No. 1:26-CV-00347
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention without a bond hearing.
STANDARD OF REVIEW	The court reviewed the § 2241 claim under 28 U.S.C. § 2241(c)(3) and applied the three-factor balancing test from Mathews v. Eldridge to determine the process due before continued detention.
PRECEDENTIAL VALUE	unpublished district court memorandum; persuasive only
PARTIES	Jasvir Singh v. Michael Rose, Jacki Motter

TOPICS

immigration detention

federal habeas corpus

procedural due process

statutory interpretation

remedies

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1225(b)(2)(A) authorizes mandatory detention of a noncitizen who entered the United States years earlier, was released into the country, and is not currently affirmatively seeking admission.
2. Whether mandatory detention under § 1225(b)(2)(A), without an opportunity for a bond hearing, violates the procedural due process rights of such a noncitizen.
3. Whether the court should grant immediate release or order a bond hearing.
4. Whether the court should determine Singh's request for Equal Access to Justice Act fees and costs at that time.

HOLDINGS

1. Section 1225(b)(2)(A) applies only to a noncitizen who is affirmatively and presently seeking admission to the United States. It does not apply to Singh, who had entered and resided in the United States for more than three years before being detained.
2. Mandatory detention of Singh under § 1225(b)(2)(A), without an opportunity for a bond hearing, violated procedural due process.
3. Immediate release on Singh's own recognizance, rather than merely a bond hearing, was appropriate because the mandatory-detention provision relied on by Respondents did not apply and the detention violated procedural due process.
4. The court declined to decide fees and costs immediately but permitted Singh to file an appropriate EAJA motion within thirty days after entry of final judgment.

KEY QUOTATIONS

"In sum, Singh is not currently "seeking admission" to the United States." (Discussion)

"Thus, the court will grant Singh's petition and release him on his own recognizance as the United States Border Patrol did in June 2022." (Discussion)

"For these reasons, the court will grant Singh's petition for writ of habeas corpus and order his immediate release." (Conclusion)

FACTUAL BACKGROUND

Singh, a 29-year-old citizen of India, entered the United States in June 2022 and was served with a notice to appear for removal proceedings because he had not been admitted or paroled. He was released on his own recognizance and later applied for asylum. ICE detained him on December 31, 2025, and held him at Clinton County Correctional Facility under § 1225(b)(2)(A) without a bond hearing.

PROCEDURAL HISTORY

Singh filed a § 2241 petition seeking immediate release or a bond hearing, alleging that his detention under 8 U.S.C. § 1225(b)(2)(A) was unlawful. Respondents opposed the petition, arguing that Singh was an applicant for admission subject to mandatory detention under § 1225(b)(2)(A), and alternatively requested a bond hearing rather than release. After Singh filed a traverse, the court granted the petition and ordered his immediate release on his own recognizance.

DISPOSITION

writ_granted

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 443, 447 (2004)
- *Trump v. J.G.G.*, 604 U.S. 670, 672 (2025)
- *Nance v. Ward*, 597 U.S. 167 (2022)
- *Jennings v. Rodriguez*, 583 U.S. 281, 288 (2018)
- *Matter of Yajure Hurtado*, 29 I. & N. Dec. 2016 (Sept. 5, 2025)
- *Hernandez v. Kunes*, No. 1:25-cv-1847, 2026 WL 411726 (M.D. Pa. Feb. 13, 2026)
- *Santana-Rivas v. Warden of Clinton County Correctional Facility*, No. 3:25-cv-1896, 2025 WL 3513152 (M.D. Pa. Dec. 8, 2025)
- *Patel v. O’Neil*, No. 3:25-cv-2185, 2025 WL 3516865, at *4 n.7, *5-*6 (M.D. Pa. Dec. 8, 2025)
- *Quispe v. Rose*, No. 3:25-cv-2276, 2025 WL 3537279 (M.D. Pa. Dec. 10, 2025)
- *Patel v. O’Neill*, No. 3:25-cv-2289, 2026 WL 323121 (M.D. Pa. Feb. 6, 2026)
- *Demirel*, 2025 WL 3218243
- *Ayala Amaya v. Bondi*, No. 25-16429, 2025 WL 3033880, at *2 (D.N.J. Oct. 30, 2025)
- *Bethancourt Soto v. Soto*, No. 25-cv-16200, 2025 WL 2976572, at *5-*8 (D.N.J. Oct. 22, 2025)
- *United States ex rel. Polansky v. Executive Health Resources, Inc.*, 599 U.S. 419, 432 (2023)
- *Centeno Ibarra v. Warden of Federal Detention Center Philadelphia*, No. 25-cv-6312, 2025 WL 3294726, at *5-*6 (E.D. Pa. Nov. 25, 2025)
- *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- *Benitez*, 2025 WL 2371588, at *7
- *Zadvydas v. Davis*, 533 U.S. 678, 690, 693 (2001)
- *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976)
- *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)