

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
PENNSYLVANIA

**Hasan Bagator v. Michael T. Rose, in his official capacity as Field
Office Director of the ICE Philadelphia Field Office, et al.**

Bagator · No. 3:25-cv-486 · Decided April 17, 2026

SUMMARY

The United States District Court for the Western District of Pennsylvania granted Hasan Bagator’s 28 U.S.C. § 2241 petition insofar as it sought an individualized bond hearing under 8 U.S.C. § 1226(a). The court overruled the respondents’ objections, directed that a bond hearing be conducted by April 27, 2026, and ordered release if the hearing was not provided or was denied on specified mandatory-detention grounds.

CASE DETAILS

COURT	United States District Court for the Western District of Pennsylvania
WRITING FOR THE COURT	Stephanie L. Haines
JURISDICTION	United States District Court for the Western District of Pennsylvania
DECIDED	April 17, 2026
DOCKET	3:25-cv-486
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 from allegedly prolonged immigration detention, requesting immediate release or an individualized bond hearing. After the magistrate judge recommended granting relief insofar as Petitioner sought a bond hearing, Respondents objected, and the district court reviewed and adopted the recommendation.
STANDARD OF REVIEW	The district court reviewed the magistrate judge's Report and Recommendation and the objections under 28 U.S.C. § 636(b)(1)(B) and (C) and Local Civil Rule 72.D.2.
PRECEDENTIAL VALUE	unpublished and nonprecedential district-court memorandum order

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QUESTIONS PRESENTED

1. Whether Petitioner was eligible for an individualized bond hearing under 8 U.S.C. § 1226(a).
2. Whether Respondents' objections to the magistrate judge's recommendation should be sustained.
3. What relief should issue if the Government failed to provide the required bond hearing or relied on cited immigration decisions to deny a hearing.

HOLDINGS

1. Petitioner was eligible for an individualized bond hearing under 8 U.S.C. § 1226(a), and the petition was granted to the extent it sought that hearing.
2. Respondents' objections were overruled because they did not establish a basis to reject the magistrate judge's recommendation.
3. Respondents were ordered to provide Petitioner with the statutory process under § 1226(a), including a bond hearing before an immigration judge by April 27, 2026; failure to provide the hearing, or refusal to conduct it based on *Matter of Yajure Hurtado* or *Matter of Q. Li*, would require immediate release.

KEY QUOTATIONS

“Judge Lanzillo correctly found Petitioner to be eligible for a bond hearing under 8 U.S.C. § 1226(a).”

“the Government is directed to provide Petitioner with the statutory process required under 8 U.S.C. § 1226(a), which includes a bond hearing”

FACTUAL BACKGROUND

Petitioner Hasan Bagator was detained at Moshannon Valley Detention Center in connection with immigration proceedings. He claimed that his detention had become unconstitutionally prolonged and sought immediate release or, alternatively, an individualized bond hearing. The district court accepted the magistrate judge's finding that Petitioner was eligible for a bond hearing under 8 U.S.C. § 1226(a).

PROCEDURAL HISTORY

Hasan Bagator filed a § 2241 habeas petition while detained at Moshannon Valley Detention Center. Magistrate Judge Richard A. Lanzillo issued a Report and Recommendation recommending an individualized bond hearing. Respondents timely objected, but the district court overruled the objections, adopted the Report and Recommendation, granted the petition to the extent it sought a bond hearing, and directed the Government to provide the statutory process under 8 U.S.C. § 1226(a).

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The Government was directed to provide Petitioner with the statutory process required under 8 U.S.C. § 1226(a), including an immigration-judge bond hearing by April 27, 2026. The parties were required to notify the court of the hearing's outcome within seven days. If no hearing occurred by the deadline, or if the immigration judge declined to conduct one based on Matter of Yajure Hurtado or Matter of Q. Li, Respondents were ordered to immediately release Petitioner. If Petitioner was granted bond and the Government appealed on the ground that detention was mandatory under § 1225(b)(2), the writ would issue upon notice and Petitioner would be automatically released.

CASES CITED

- Calzado Diaz v. Noem, No. 3:25-cv-458, 2025 WL 3628480 (W.D. Pa. Dec. 15, 2025)
- Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025)
- Matter of Q. Li, 29 I&N Dec. 66 (BIA 2025)

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