

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Jerson A.D.G. v. Bondi

Jerson A.D.G. · No. Civil No. 26-516 (DWF/SGE); 0:26-cv-00516 · Decided March 19, 2026

SUMMARY

The United States District Court for the District of Minnesota grants Jerson A.D.G.’s motion for attorneys’ fees under the Equal Access to Justice Act. The court concludes that the government was not substantially justified in detaining Petitioner under 8 U.S.C. § 1159 and awards Petitioner’s counsel \$4,125.70.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Donovan W. Frank
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	March 19, 2026
DOCKET	Civil No. 26-516 (DWF/SGE); 0:26-cv-00516
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought attorneys’ fees under the Equal Access to Justice Act after the court granted his habeas petition and ordered his immediate release from immigration detention. Respondents opposed the fee request on the ground that their position was substantially justified.
STANDARD OF REVIEW	Under the EAJA, the court evaluates from the record whether the government’s position was substantially justified; the government bears the burden of proving substantial justification once the prevailing party establishes eligibility.
PRECEDENTIAL VALUE	unknown
PARTIES	Jerson A.D.G. v. Pamela Bondi, in her official capacity as Attorney General of the United States, Kristi Noem, in her official capacity as Secretary of the United States Department of Homeland Security, Todd M. Lyons, in his official capacity as Acting Director of United States Immigration and Customs Enforcement, David Easterwood, in his official capacity as Acting Director, St. Paul Field Office, United States Immigration and Customs Enforcement

TOPICS

attorney fees immigration detention remedies administrative law civil procedure

PRACTICE AREAS

immigration administrative law civil procedure attorney fees

QUESTIONS PRESENTED

1. Whether Petitioner was entitled to attorneys' fees under the Equal Access to Justice Act after prevailing on his habeas petition.
2. Whether the government's underlying detention decision and litigation position were substantially justified under the EAJA.
3. Whether any special circumstances made an award of attorneys' fees unjust.

HOLDINGS

1. Petitioner was entitled to an award of attorneys' fees because he was the prevailing party, satisfied the EAJA eligibility requirements, and the government failed to show that its position was substantially justified or that special circumstances made an award unjust.
2. Respondents' position was not substantially justified, both in arguing that Petitioner could be detained under 8 U.S.C. § 1159 and in arresting and detaining Petitioner.

KEY QUOTATIONS

"To be substantially justified, the government's argument need not be correct, but it must be "justified to a degree that could satisfy a reasonable person."" (Discussion)

"The law is settled and Respondents violated it." (Discussion)

FACTUAL BACKGROUND

U.S. Immigration and Customs Enforcement arrested and detained Petitioner on January 21, 2026. Petitioner filed a habeas petition that day, and the court ordered his immediate release on January 27, 2026. Respondents had justified the detention under 8 U.S.C. § 1159, despite agency guidance and precedent that the court found contrary to that position. Petitioner's counsel represented him pro bono and had received no payment for the time and costs incurred.

PROCEDURAL HISTORY

Petitioner was arrested and detained by Immigration and Customs Enforcement on January 21, 2026, and filed a habeas petition the same day. On January 27, 2026, the court granted the petition and ordered his immediate release. Petitioner then moved for \$4,125.70 in attorneys' fees under the EAJA; the court granted the motion.

DISPOSITION

other

CASES CITED

- Comm’r, Immigr. & Naturalization Serv. v. Jean, 496 U.S. 154, 163 (1990)
- Huett v. Bowen, 873 F.2d 1153, 1155 (8th Cir. 1989)
- Pierce v. Underwood, 487 U.S. 552, 565 (1988)
- Bah v. Cangemi, 548 F.3d 680, 683-84 (8th Cir. 2008)
- U.H.A. v. Bondi, No. 26-cv-417, 2026 WL 558824 (D. Minn. Feb. 27, 2026)

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