

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Abdulaziz Abduraimov v. Tonya Andrews

Abduraimov v. Andrews · No. 1:25-cv-00843-EPG-HC · Decided October 14, 2025

SUMMARY

The United States District Court for the Eastern District of California considers a federal immigration detainee’s 28 U.S.C. § 2241 petition challenging prolonged detention without an individualized bond hearing. The court denies the respondent’s motion to dismiss and grants the petition in part, directing that the petitioner receive a bond hearing before an immigration judge at which the government must justify continued detention by clear and convincing evidence, or otherwise release him under appropriate conditions.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Erica P. Grosjean
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 14, 2025
DOCKET	1:25-cv-00843-EPG-HC
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner's 28 U.S.C. § 2241 habeas petition challenged his prolonged mandatory immigration detention without an individualized bond hearing. Respondent moved to dismiss, and the court denied the motion and granted habeas relief in part.
STANDARD OF REVIEW	The court reviewed the constitutional due-process challenge to prolonged detention de novo and evaluated the detention under the Mathews v. Eldridge balancing test and the factors identified in Lopez v. Garland.
PRECEDENTIAL VALUE	unpublished district court decision
PARTIES	Abdulaziz Abduraimov v. Tonya Andrews

TOPICS

- immigration detention
- procedural due process
- removal proceedings
- immigration
- civil procedure

PRACTICE AREAS

immigration law

habeas corpus

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether respondent's motion to dismiss should be granted because Supreme Court precedent foreclosed petitioner's as-applied constitutional challenge to prolonged detention under 8 U.S.C. § 1225(b).
2. Whether petitioner's approximately twenty-four months of mandatory detention under § 1225(b), without an individualized bond hearing, violated procedural due process.
3. Whether due process required the government to justify continued detention by clear and convincing evidence at a bond hearing and required consideration of petitioner's financial circumstances or alternative conditions of release if detention was not otherwise justified.

HOLDINGS

1. *Jennings v. Rodriguez* and *Demore v. Kim* did not foreclose petitioner's as-applied constitutional challenge to prolonged detention under § 1225(b), because *Jennings* rejected a statutory bond-hearing interpretation without deciding the constitutional arguments, and *Demore* addressed a facial challenge involving materially shorter detention under § 1226(c).
2. Petitioner's continued mandatory detention under § 1225(b), without an individualized bond hearing, had become unreasonable and violated procedural due process; petitioner was therefore entitled to a bond hearing.
3. At the bond hearing, the government must prove by clear and convincing evidence that petitioner is a flight risk or danger to the community to justify continued detention. If petitioner is not dangerous and is not such a great flight risk as to require detention without bond, the immigration judge should consider petitioner's financial circumstances and alternative conditions of release.

KEY QUOTATIONS

“For the reasons set forth herein, the Court will deny Respondent’s motion to dismiss, grant the petition for writ of habeas corpus in part, and order that Respondent provide Petitioner with an individualized bond hearing before an immigration judge at which the government must justify Petitioner’s continued detention by clear and convincing evidence.” (at 1)

“Based on the foregoing, Petitioner is entitled to a bond hearing under both the Mathews and Lopez tests.” (at 32)

“Based on the foregoing, the Court finds that the government must justify Petitioner’s continued confinement under § 1225(b) by clear and convincing evidence that Petitioner is a flight risk or a danger to the community.” (at 38)

FACTUAL BACKGROUND

Abdulaziz Abduraimov, a citizen of Uzbekistan, applied for admission to the United States on July 10, 2023, was issued a notice to appear, and was paroled into the country pending his immigration proceedings. ICE detained

him at his home on October 10, 2023, and he remained detained for approximately twenty-four months without an individualized bond hearing before a neutral decisionmaker with authority to grant bond. He applied for asylum, received an asylum grant from an immigration judge, and then faced a government appeal and BIA remand for further proceedings.

PROCEDURAL HISTORY

Petitioner was detained by immigration authorities beginning October 10, 2023, after being paroled into the United States pending removal proceedings. An immigration judge denied his bond request for lack of jurisdiction. After the immigration judge granted asylum, the government appealed, and the Board of Immigration Appeals remanded for further proceedings. Petitioner then filed this § 2241 petition, and the court ordered an individualized bond hearing or release under appropriate conditions.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondent must schedule, within thirty days of service of the order, a bond hearing before an immigration judge. Alternatively, respondent may release petitioner under appropriate conditions of release.

CASES CITED

- Prieto-Romero v. Clark, 534 F.3d 1053, 1057, 1062 (9th Cir. 2008)
- Jennings v. Rodriguez, 583 U.S. 281, 287-88, 297-98, 306, 312 (2018)
- Zadvydas v. Davis, 533 U.S. 678, 684-86, 689, 701 (2001)
- Demore v. Kim, 538 U.S. 510, 513-14, 526, 529-30, 532 (2003)
- Rodriguez v. Hayes, 591 F.3d 1105, 1114 (9th Cir. 2010)
- Rodriguez v. Robbins, 804 F.3d 1060, 1089 (9th Cir. 2015)
- Diouf v. Napolitano, 634 F.3d 1081, 1091 (9th Cir. 2011)
- Rodriguez v. Marin, 909 F.3d 252, 255-56 (9th Cir. 2018)
- Martinez v. Clark, 36 F.4th 1219, 1223, 1231 (9th Cir. 2022), vacated on other grounds, 144 S. Ct. 1339 (2024)
- Nielsen v. Preap, 586 U.S. 392, 420 (2019)
- United States ex rel. Knauff v. Shaughnessy, 338 U.S. 537, 539, 544 (1950)
- Department of Homeland Security v. Thuraissigiam, 591 U.S. 103, 106, 138-40 (2020)
- Landon v. Plasencia, 459 U.S. 21, 22, 32 (1982)
- Dave v. Ashcroft, 363 F.3d 649, 653 (7th Cir. 2004)
- Aroldo Rodriguez Diaz v. Merrick Garland, Rodriguez Diaz v. Garland, 53 F.4th 1189, 1193, 1195-96, 1199, 1202 n.4, 1203, 1206-10 (9th Cir. 2022)
- Mathews v. Eldridge, 424 U.S. 319, 334 (1976)

- *Hernandez v. Sessions*, 872 F.3d 976, 993, 1000 (9th Cir. 2017)
- *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992)
- *Singh v. Holder*, 638 F.3d 1196, 1203-05 (9th Cir. 2011)
- *Martinez v. Clark*, 124 F.4th 775, 786 (9th Cir. 2024)

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