

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Fortino Lopez Saguilan v. Pamela Bondi, et al.

Lopez Saguilan v. Bondi · No. 25-18980 (ZNQ) · Decided January 8, 2026

SUMMARY

The District of New Jersey denied Fortino Lopez Saguilan’s motion for a temporary restraining order seeking release or a new bond determination after an immigration judge denied bond under 8 U.S.C. § 1226(a). The court held that the petitioner identified no constitutional defect in the bond hearing and that 8 U.S.C. § 1226(e) barred judicial review of the immigration judge’s bond decision. The court also noted that administrative remedies remained available and closed the habeas matter.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Zahid N. Quraishi
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	January 8, 2026
DOCKET	25-18980 (ZNQ)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought a temporary restraining order requiring his release and asking the district court to conduct a new bond redetermination after an immigration judge denied bond following a bond hearing ordered by the district court.
STANDARD OF REVIEW	Temporary restraining order and preliminary-injunctive relief require the movant to establish a reasonable likelihood of success on the merits, irreparable injury, a balance of hardships favoring relief, and a public interest favoring relief. The first two factors are threshold or gateway factors.
PRECEDENTIAL VALUE	Unknown; district court memorandum opinion with no reported citation.
PARTIES	Fortino Lopez Saguilan v. Pamela Bondi, et al.

TOPICS

- immigration detention
- injunctions
- judicial review of agency action
- due process
- administrative law

PRACTICE AREAS

immigration law

habeas corpus

administrative law

constitutional law

injunctive relief

QUESTIONS PRESENTED

1. Whether petitioner was entitled to a temporary restraining order requiring release or a new bond determination after receiving the bond hearing required under 8 U.S.C. § 1226(a).
2. Whether 8 U.S.C. § 1226(e) barred the district court from reviewing or setting aside the immigration judge's discretionary denial of bond absent an identified constitutional defect.
3. Whether petitioner established a likelihood of success on the merits and irreparable injury sufficient to warrant temporary injunctive relief.

HOLDINGS

1. After a detained alien receives the bond hearing required under 8 U.S.C. § 1226(a), the district court may not use habeas or injunctive relief to conduct a second bond redetermination or review the immigration judge's discretionary bond decision absent a constitutional defect in the hearing.
2. Petitioner did not establish a reasonable likelihood of success on the merits because his motion sought prohibited review of the immigration judge's bond determination and identified no constitutional defect in the bond hearing.
3. Petitioner did not establish irreparable injury because administrative avenues remained available to challenge or revisit the immigration judge's bond decision.
4. Aliens who effect an entry into the United States and are not taken into custody until several years after that entry are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2) and are instead detained, if at all, under the government's discretionary authority under § 1226(a).

KEY QUOTATIONS

“A temporary restraining order is “an extraordinary remedy” and “should be granted only in limited circumstances.””

“No court may set aside” the immigration judge’s decision as to “the denial of bond.””

“Petitioner is thus attempting to have this Court reconsider the immigration judge’s determination, a “task Congress has expressly forbidden” this Court “from undertaking.””

FACTUAL BACKGROUND

Petitioner entered the United States and was not taken into immigration custody until several years later. The district court determined that he was not subject to mandatory detention under 8 U.S.C. § 1225(b)(2) and ordered a bond hearing under § 1226(a). At that hearing, an immigration judge denied bond after finding that petitioner had not met his burden of showing that he was not a danger to the community, citing an insufficiently explained 2020 assault charge that had been dismissed. Petitioner argued that the immigration judge inadequately considered his family and community ties, including his children's special needs, and sought release through a new district-court bond determination.

PROCEDURAL HISTORY

Petitioner filed a habeas petition challenging his classification as subject to mandatory detention under 8 U.S.C. § 1225(b)(2) and asserting that he was entitled to a bond hearing under 8 U.S.C. § 1226(a). On December 29, 2025, the court ordered that he receive a § 1226(a) bond hearing. After an immigration judge conducted the hearing on January 8, 2026, and denied bond based on a finding that petitioner had not shown he was not a danger to the community, petitioner moved for a temporary restraining order and requested a new bond determination by the district court. The court denied the motion and closed the matter.

DISPOSITION

other

CASES CITED

- Ballas v. Tedesco, 41 F. Supp. 2d 531, 537 (D.N.J. 1999)
- Maldonado v. Houstoun, 157 F.3d 179, 184 (3d Cir. 1998)
- Reilly v. City of Harrisburg, 858 F.3d 173, 179 (3d Cir. 2017)
- Opticians Ass'n of Am. v. Indep. Opticians of Am., 920 F.2d 187, 192 (3d Cir. 1990)
- Valerio v. Joyce, No. 25-17225, 2025 WL 3251445, at *2-*4 (D.N.J. Nov. 21, 2025)
- Igor Borbot v. Warden Hudson County Correctional Facility, Borbot v. Warden Hudson Cnty. Corr. Facility, 906 F.3d 274, 278-79 (3d Cir. 2018)
- Contant v. Holder, 352 F. App'x 692, 695 (3d Cir. 2009)

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