

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Maksaddhon Akhemedov v. Yolanda Pittman, et al.

Akhemedov · No. Civil Action No. 25-13734 (MCA) · Decided February 6, 2026

SUMMARY

The United States District Court for the District of New Jersey granted Maksaddhon Akhemedov’s motion to enforce a prior order requiring an individualized immigration bond hearing. The court held that the record did not establish whether the Immigration Judge applied the clear-and-convincing-evidence standard required under *German Santos v. Warden Pike County Correctional Facility*. The court ordered a new bond hearing within seven days and required Respondents to report its outcome.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Madeline Cox Arleo
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	February 6, 2026
DOCKET	Civil Action No. 25-13734 (MCA)
DISPOSITION	remanded
PROCEDURAL POSTURE	Petitioner moved to enforce a prior order granting habeas relief and requiring an individualized immigration bond hearing. The court granted the motion and ordered a new bond hearing because the record did not establish that the Immigration Judge applied the required clear-and-convincing-evidence standard.
STANDARD OF REVIEW	The court's review was limited to determining whether Respondents complied with the prior order and whether the bond hearing was fundamentally fair; the court lacked jurisdiction to review the Immigration Judge's discretionary bond determination itself.
PRECEDENTIAL VALUE	unpublished district court memorandum and order

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Immigration Judge complied with the court's prior order by applying the clear-and-convincing-evidence standard at Petitioner's bond hearing.
2. Whether a new bond hearing was required when the hearing transcript established that the Government bore the burden of proof but did not establish what standard of proof the Immigration Judge applied.

HOLDINGS

1. A new bond hearing was required because the court could not discern from the bond-hearing record that the Immigration Judge applied the clear-and-convincing-evidence standard required by the prior order and *German Santos*.
2. The district court could review whether the bond hearing was fundamentally fair and complied with its order, but could not review the discretionary determinations underlying the Immigration Judge's bond decision.

KEY QUOTATIONS

“Despite IJ Ranasinghe placing the burden of proof on the Government, she fails to refer or allude to the clear and convincing evidence standard, German Santos, or similar language in her findings of fact, making it unclear for this Court to discern the standard of proof applied during the bond hearing.” (Discussion)

“At that hearing, the Government bears the burden of showing that Petitioner is either a danger to the community or a flight risk by clear and convincing evidence, pursuant to German Santos v. Warden Pike County Correctional Facility, 965 F.3d 203 (3d Cir. 2020)” (Order)

FACTUAL BACKGROUND

Petitioner, a native and citizen of Tajikistan, had been detained at the Elizabeth Contract Detention Facility since September 13, 2024, during removal proceedings. An Immigration Judge granted him asylum, but the Department of Homeland Security appealed to the Board of Immigration Appeals, and the decision was not final. After the district court ordered an individualized bond hearing, the Immigration Judge found that the Government had shown Petitioner was a flight risk, but the hearing transcript did not indicate that the clear-and-convincing-evidence standard was applied.

PROCEDURAL HISTORY

Petitioner filed a 28 U.S.C. § 2241 petition challenging prolonged immigration detention without an individualized bond hearing. On December 17, 2025, the court granted habeas relief and ordered a bond hearing at which the Government would bear the burden of showing danger or flight risk. After the Immigration Judge conducted a bond hearing on December 23, 2025, Petitioner moved to enforce the court's order, alleging that the hearing did not apply the required burden of proof. The court granted that motion and ordered a new hearing.

DISPOSITION

remanded

REMAND INSTRUCTIONS

An Immigration Judge must provide Petitioner with a new bond hearing within seven days. At that hearing, the Government must prove by clear and convincing evidence that Petitioner is either a danger to the community or a flight risk. Respondents must update the district court in writing regarding the outcome within three days after the hearing, after which the court will close the action.

CASES CITED

- German Santos v. Warden Pike County Correctional Facility, 965 F.3d 203, 210, 213 (3d Cir. 2020)
- Chiguano v. Lowe, No. 1:24-CV-02210, 2025 WL 3187161, at *3 (M.D. Pa. Nov. 14, 2025)
- Colorado v. New Mexico, 467 U.S. 310, 316 (1984)

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