

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Bharatkumar Chaudhari v. Michael T. Rose, et al.

No. 3:26-CV-242 (M.D. Pa. Feb. 26, 2026) · No. 3:26-CV-242 · Decided February 26, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania granted Bharatkumar Chaudhari’s habeas petition challenging his detention without a bond hearing under 8 U.S.C. § 1225(b)(2). The court held that, because Chaudhari had been present in the United States for several years, his detention was governed by 8 U.S.C. § 1226(a), which requires a bond hearing, rather than § 1225(b)(2). The court ordered his release and enjoined the government from detaining him under § 1225(b)(2).

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Keli M. Neary
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	February 26, 2026
DOCKET	3:26-CV-242
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus by an immigration detainee challenging detention without a bond hearing under 8 U.S.C. § 1225(b)(2).
STANDARD OF REVIEW	The court independently interpreted the governing statutes and reviewed the legality of the petitioner's detention in habeas corpus.
PRECEDENTIAL VALUE	unpublished district court memorandum; nonprecedential
PARTIES	Bharatkumar Chaudhari v. Michael T. Rose, et al.

TOPICS

- immigration detention
- statutory interpretation
- plain meaning rule
- civil procedure
- injunctions

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1225(b)(2) authorizes detention without a bond hearing of a noncitizen who entered the United States without authorization years earlier and is living in the interior during removal proceedings.
2. Whether Chaudhari's detention is instead governed by 8 U.S.C. § 1226(a), which requires a bond hearing.
3. Whether habeas relief should take the form of an order requiring a bond hearing or an order requiring release and enjoining detention under § 1225(b)(2).

HOLDINGS

1. Section 1225(b)(2) does not authorize detention without a bond hearing of a noncitizen who entered the United States without authorization years earlier and has been present in the country for several years; the provision applies to aliens at the country's border or otherwise actively seeking admission.
2. Chaudhari's detention is governed by 8 U.S.C. § 1226(a), rather than § 1225(b)(2), and therefore the government may not continue detaining him without the process required by § 1226(a), including a bond hearing.
3. The appropriate relief is a writ of habeas corpus requiring the government to release Chaudhari and an injunction prohibiting the government from detaining him under 8 U.S.C. § 1225(b)(2).

KEY QUOTATIONS

“The court joins hundreds of other judges around the country in holding that this form of detention without a bond hearing is unlawful.”

“The best reading of the statute is that “seeking admission” has independent effect by limiting the scope of the statute to people who are actively “seeking admission” to the United States.”

“A writ of habeas corpus will issue requiring the government to release petitioner and enjoining the government from detaining him under 8 U.S.C. § 1225(b)(2).”

FACTUAL BACKGROUND

Chaudhari entered the United States near Lukeville, Arizona, on or about August 19, 2022, was briefly detained, and was then released on recognizance after receiving a notice to appear charging him as removable. He later applied for asylum based on claimed fear of persecution in India. ICE arrested him on November 7, 2025, and DHS detained him at Pike County Correctional Facility without a bond hearing under a July 8, 2025 policy treating persons who entered without admission as subject to mandatory detention under 8 U.S.C. § 1225(b)(2).

PROCEDURAL HISTORY

Chaudhari filed a habeas petition on February 2, 2026, asserting that his detention was governed by 8 U.S.C. § 1226(a), which requires a bond hearing. The government responded that detention was lawful under 8 U.S.C. §

1225(b)(2)(A), and Chaudhari filed a reply. The district court granted the petition, ordered Chaudhari released, and enjoined future detention under § 1225(b)(2).

DISPOSITION

writ_granted

CASES CITED

- *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004)
- *In re Yajure Hurtado*, 29 I. & N. Dec. 2016, 2025 WL 2674169 (BIA Sept. 5, 2025)
- *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 412-13 (2024)
- *Fischer v. United States*, 603 U.S. 480, 487 (2024)
- *I.N.S. v. Nat'l Ctr. for Immigrants' Rts., Inc.*, 502 U.S. 183, 189 (1991)
- *Mellouli v. Lynch*, 575 U.S. 798, 809 (2015)
- *FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120, 133 (2000)
- *Star Athletica, LLC v. Varsity Brands, Inc.*, 580 U.S. 405, 414 (2017)
- *Maracich v. Spears*, 570 U.S. 48, 65 (2013)
- *Panama Ref. Co. v. Ryan*, 293 U.S. 388, 439 (1935) (Cardozo, J., dissenting)
- *Jennings v. Rodriguez*, 583 U.S. 281, 287-89 (2018)
- *United States v. Milchin*, 128 F.4th 199, 202 (3d Cir. 2025)
- *TRW Inc. v. Andrews*, 534 U.S. 19, 31 (2001)
- *Villa Hernandez v. Kunes*, No. 1:25-CV-1847, 2026 WL 411726, at *3-6 (M.D. Pa. Feb. 13, 2026)
- *Gonzalez Centeno v. Lowe*, No. 3:25-CV-2518, 2026 WL 94642, at *3-4 (M.D. Pa. Jan. 13, 2026)
- *Vadel v. Lowe*, No. 3:25-CV-2452, 2025 WL 3772059, at *4-6 (M.D. Pa. Dec. 31, 2025)
- *Viantsko v. Lowe*, No. 4:25-CV-02523, 2026 WL 313473, at *3-4 (M.D. Pa. Feb. 5, 2026)
- *Patel v. O'Neil*, No. 3:25-CV-2185, 2025 WL 3516865, at *4-5 (M.D. Pa. Dec. 8, 2025)
- *Aparicio v. Lowe*, No. 3:25-CV-02413, 2026 WL 526702, at *7-8 (M.D. Pa. Feb. 25, 2026)
- *Mirdjalilov v. Warden Fed. Detention Ctr. of Phila.*, No. 2:25-CV-7068, 2026 WL 184249, at *5 n.6 (E.D. Pa. Jan. 23, 2026)
- *Crespi Tacuri v. Genalo*, No. 25-CV-06896, 2026 WL 35569, at *3 (E.D.N.Y. Jan. 6, 2026)
- *Rodriguez v. Bostock*, 802 F. Supp. 3d 1297, 1304 n.3 (W.D. Wash. Sept. 30, 2025)
- *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330 (5th Cir. Feb. 6, 2026)
- *West Virginia v. EPA*, 597 U.S. 697, 721-23 (2022)
- *Utility Air Regulatory Group v. EPA*, 573 U.S. 302, 324 (2014)
- *National Federation of Independent Business v. Department of Labor*, 595 U.S. 109, 119 (2022)
- *Johnson v. Guzman Chavez*, 594 U.S. 523, 527 (2021)
- *Yates v. United States*, 574 U.S. 528, 537 (2015) (plurality)

