

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Aziz Khasanov v. Michael Rose, et al.

No. 4:26-CV-00106 (M.D. Pa. Mar. 27, 2026) · No. No. 4:26-CV-00106 · Decided March 27, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania grants Aziz Khasanov’s 28 U.S.C. § 2241 petition challenging his detention by ICE without a bond hearing. The court holds that 8 U.S.C. § 1226(a), rather than the mandatory-detention provisions of § 1225(b), governs because Khasanov was arrested after residing in the United States, notwithstanding his prior humanitarian parole. The court concludes that continued detention without a bond hearing violates the Fifth Amendment and orders the Government to provide a hearing or release him.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Matthew W. Brann
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	March 27, 2026
DOCKET	No. 4:26-CV-00106
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention and the denial of a bond hearing.
STANDARD OF REVIEW	The court applied the Mathews v. Eldridge balancing test to determine whether continued detention without a bond hearing violated due process and interpreted the relevant immigration detention statutes according to their text.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court with no reporter citation or stated precedential status.
PARTIES	Aziz Khasanov v. Michael Rose, et al.

TOPICS

- immigration detention
- federal habeas corpus
- due process
- procedural due process
- statutory interpretation

PRACTICE AREAS

immigration law

federal habeas corpus

constitutional law

QUESTIONS PRESENTED

1. Whether Khasanov's detention was governed by the mandatory-detention provisions of 8 U.S.C. § 1225(b) or the discretionary-detention provisions of 8 U.S.C. § 1226(a).
2. Whether Khasanov's prior humanitarian parole made him an arriving alien subject to mandatory detention under § 1225(b).
3. Whether continued detention without a bond hearing violated Khasanov's Fifth Amendment due process rights.

HOLDINGS

1. Section 1225(b) applies to individuals detained while entering or attempting to enter the United States, whereas § 1226(a) generally applies to aliens already present in the United States who are arrested and detained pending removal proceedings. Because Khasanov was arrested after residing in the United States for an extended period, his detention was governed by § 1226(a), not § 1225(b).
2. Khasanov's prior humanitarian parole did not make him an arriving alien subject to mandatory detention under § 1225(b). A person who entered, was paroled, and remained in the United States for an extended period is not an alien arriving in the United States when later arrested.
3. Khasanov's continued detention without a bond hearing violated the Fifth Amendment Due Process Clause. Because § 1226(a) governed his detention, he was entitled to a bond hearing, and the Government was required to provide one or release him.

KEY QUOTATIONS

"In sum, a plain reading of § 1225(b) demonstrates that it applies to individuals who are attempting to enter the United States, not those already within the country." (Section II.A)

"Applying that distinction here, Khasanov must be detained pursuant to § 1226 and is therefore entitled to a bond hearing." (Section II.A)

"In balancing these three factors then, it is clear that Khasanov's continued detention without a bond hearing violates his due process rights." (Section II.B)

FACTUAL BACKGROUND

Khasanov, a citizen of Uzbekistan, entered the United States on January 16, 2020, after being granted humanitarian parole. His parole expired on January 16, 2021. ICE arrested him while he was working on December 1, 2025, detained him at the Pike County Correctional Facility, and denied him a bond hearing on the ground that mandatory detention applied.

PROCEDURAL HISTORY

Khasanov, detained by ICE at the Pike County Correctional Facility, filed a § 2241 petition in January 2026 seeking release or a bond hearing. The Government opposed the petition, arguing that mandatory detention under 8 U.S.C. § 1225(b) applied because Khasanov was an applicant for admission and had previously received humanitarian parole. After Khasanov filed a reply, the district court granted the petition and ordered the Government to provide a bond hearing or release him.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The Government must provide Khasanov with a bond hearing or release him from custody.

CASES CITED

- Trump v. J. G. G., 604 U.S. 670, 672 (2025)
- Jennings v. Rodriguez, 583 U.S. 281, 297, 303, 306 (2018)
- Ramirez-Montoya v. Rose, No. 3:25-CV-02411, 2025 WL 3709045, at *4-*6 (M.D. Pa. Dec. 22, 2025)
- Patel v. O'Neil, No. 3:25-CV-2185, 2025 WL 3516865, at *5-*6 (M.D. Pa. Dec. 8, 2025)
- Qasemi v. Francis, No. 25-CV-10029 (LJL), 2025 WL 3654098, at *6, *8 (S.D.N.Y. Dec. 17, 2025)
- Rodriguez-Acurio v. Almodovar, No. 2:25-CV-6065 (NJC), 2025 WL 3314420, at *15, *20 (E.D.N.Y. Nov. 28, 2025)
- Sewak v. I.N.S., 900 F.2d 667, 674 (3d Cir. 1990)
- Zadvydas v. Davis, 533 U.S. 678, 690, 693 (2001)
- Abdulai v. Ashcroft, 239 F.3d 542, 549 (3d Cir. 2001)
- Bethancourt Soto v. Soto, No. 25-CV-16200, 2025 WL 2976572, at *8 (D.N.J. Oct. 22, 2025)