IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GIORGI BERELASHVILI,

Petitioner,

v.

JAMAL L. JAMISON, Warden of Philadelphia Federal Detention Center; JOHN RIFE, Field Office Director of Enforcement and Removal Operations, Philadelphia Field Office, Immigration and Customs Enforcement,

Respondents.

CIVIL ACTION

No. 2:26-cv-01472

RESPONSE TO PETITIONER'S STATUS REPORT

Respondents submit this response to Petitioner Giorgi Berelashvili's Status Report,[1] ECF No. 7, and his argument that his bond hearing did not comport with due process and that the Court should order his immediate release.

As described in the March 30, 2026 letter to the Court, ECF No. 6, Berelashvili was provided with a bond hearing in accordance with 8 U.S.C. § 1226(a), and the opportunity to appeal that decision to the Board of Immigration Appeals (BIA) in accordance with the applicable regulatory framework. Berelashvili nonetheless argued in his Status Report that the bond hearing did not meet due

[1] While labeled as a Status Report, the ad damnum clause of that document refers to it as a Motion to Enforce the Court's Order. *See* ECF No. 7 at 9.

process and therefore asks this Court for his immediate release. *See* ECF No. 7 at 1.[2]

Respondents oppose Berelashvili's request on two bases. First, Berelashvili's arguments regarding the outcome of the bond hearing are brought properly to the Board of Immigration Appeals ("the BIA") for review. *See*, *e.g.*, *Ghanem v. Warden Essex Cnty. Corr. Facility*, No. 21-1908, 2022 WL 574624, at *1 (3d Cir. Feb. 25, 2022) (considering petitioner's allegations that bond hearing failed to provide due process after petitioner exhausted his appeal to the BIA). Here, Berelashvili reserved his right to appeal to the BIA, and this Court should allow that established process to be completed.

Second, Berelashvili has not shown that his bond hearing was fundamentally unfair, in violation of due process requirements. In a fundamentally fair bond hearing, due process requires that the individual seeking release: "(1) is entitled to factfinding based on a record produced before the decisionmaker and disclosed to him or her; (2) must be allowed to make arguments on his or her own behalf; and (3) has the right to an individualized determination of his [or her] interests." *Ghanem*, No. 21-1908, 2022 WL 574624, at *2 (citation omitted). His bond hearing met these requirements.

As Berelashvili explains in his Status Report, "[a]t the outset of the hearing, [Berelashvili's] counsel requested an opportunity to present Berelashvili to testify in

[2] Respondents rely upon the ECF page numbers for pinpoint citations for ECF No. 7 to avoid confusion.

his own defense." ECF No. 7, Status Report, at 2. The immigration judge "agreed to permit testimony" on the Government's filing of Form I-213—Record of Deportable/Inadmissible Alien on the day prior to the bond hearing. *Id.* at 2. Petitioner provided limited testimony regarding his "ICE check-ins and established that he had appeared for check-ins every (3) months upon arriving in the United Stats [and that] his last check in was approximately 1.5 years before he was detained …." *Id.* at 2.

Berelashvili had the opportunity to submit, and did submit, evidence in support of his request for bond. *Id.* at 7 ("[Berelashvili] provided evidence of his presence in the country … Additionally, evidence was presented detailing [Berelashvili]'s work history, tax returns, and numerous letters – twelve (12) in total – from [Berelashvili]'s friends attesting to his character."). Berelashvili was provided with a full and fair opportunity to present evidence to the immigration court.

Deeming Berelashvili a flight risk, the immigration judge denied bond based on the determination that Berelashvili had "limited ties to the area," *id.* at 3, and that the letters of support presented were from "individuals [who] all knew [Berelashvili] in Georgia – his home country – despite their legal status in the United States." *Id.* at 3.

Berelashvili nonetheless argues that the hearing did not comport with due process because the immigration judge: (1) "refused to allow [Berelashvili] to testify

as to the basis of his asylum claim earlier in the hearing;"[3] (2) conducted a "cursory hearing;"[4] and (3) provided "no insight as to why Form I-213 should be deemed more credible than the evidence presented by petitioner;"[5]

Berelashvili does not point to a due process violation to support his claim. He does not, and cannot, allege that he was unable to present evidence, his counsel was unable to make argument, or he did not receive an individualized determination because he admits each of those criteria were met. Rather, Berelashvili disputes the weight the immigration judge gave to the evidence and arguments presented.

While Berelashvili may disagree with the immigration judge's conclusion that he posed a flight risk, that disagreement is not enough to render the bond hearing unconstitutional. The BIA is the proper tribunal to consider the merits of his appeal, not this Court. As noted in Berelashvili's own Status Report, he submitted evidence, the immigration judge reviewed that evidence, and he based his denial of bond on that evidence. *See Kumar v. Rose, et al.* No. 2:26-cv-00155, at ECF No. 11 ("Petitioner's Motion to Enforce … will be denied for two reasons: (1) this Court lacks jurisdiction to overturn the decision rendered by the immigration judge on February 9, 2026 and (2) Petitioner has not demonstrated the bond hearing was so fundamentally unfair as to deprive him of due process.") (Slomsky, J). For these reasons, Respondents respectfully submit that no further action by the Court is required at this time.

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3 *Id.* at 3.
4 *Id.* at 4.
5 *Id.* at 4-5.

Respectfully submitted,

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Dated: April 22, 2026

Counsel for Respondents

CERTIFICATE OF SERVICE

I certify that on this day I caused a true and correct copy of the foregoing Response to Petitioner's Status Report to be filed electronically via the Court's CM/ECF system, which will serve notice on all counsel of record.

Date: April 22, 2026

/s/ Isaac J. Jean-Pierre
ISAAC J. JEAN-PIERRE
Assistant United States Attorney