

responding to the petition. (ECF No. 4.) Counsel for respondent subsequently filed a response indicating that petitioner was detained under 8 U.S.C. § 1226(a). (ECF No. 6.) The response explained that a bond hearing before an immigration judge had been set for October 11, 2017, but that the hearing was repeatedly adjourned at Petitioner's request. (*Id.*) It indicates that a bond hearing is presently scheduled for July 11, 2018. (*Id.*) Accordingly, Respondent does not object to an order remanding the matter for a bond hearing and asks that the hearing set for July 11, 2018 be permitted to proceed. (*Id.*)

An alien taken into custody pending a removal determination under 8 U.S.C. § 1226(a) may be detained or may be released on bond or parole. Generally, aliens detained under § 1226(a) should receive a bond hearing at the outset of detention. *See* 8 C.F.R. §§ 236.1(d)(1), 1236.1(d)(1). As respondent seemingly concedes that petitioner should receive a bond hearing and explicitly does not object to the ordering of such a hearing, I will remand this proceeding to the Immigration Court for that purpose. As a hearing is already set for July 11, 2018, I will permit that hearing to satisfy this remand. An appropriate order will be entered.

DATED: June 20, 2018



KEVIN MCNULTY
United States District Judge