

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00423-JWB-JFD

RONNIE CHICAITA,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

**FEDERAL RESPONDENTS’
RESPONSE TO PETITION
FOR WRIT OF HABEAS
CORPUS**

Petitioner filed this petition for a writ of habeas corpus to secure a bond hearing or release in connection with his detention by the U.S. Immigration and Customs Enforcement (“ICE”). *See* ECF No. 1 (“Petition” or “Pet.”). He is currently detained by ICE¹ pursuant to 8 U.S.C. § 1225(b)(2)(A), as he falls under the statutory definition of an “applicant for admission,” *see* 8 U.S.C. § 1225(b)(1), and an examining immigration officer has determined that he is “not clearly and without a doubt entitled to be admitted.” 8 U.S.C. § 1225(b)(2)(A). Under that provision, he is ineligible for release or bond. *See* Pet. ¶ 28.

As the Court recognized, *see* ECF No. 3 (“Order”), this Petition raises legal and factual issues² similar to those confronted (and decided) by this Court in prior habeas petitions. *See, e.g., Eliseo A.A. v. Olson*, No. 25-CV-3381 (JWB/DJF), 2025 WL 2886729 (D. Minn. Oct. 8, 2025); *Mayamu K. v. Bondi*, No. 25-3035 (JWB/LIB), 2025 WL 3641819

¹ Petitioner is currently in ICE detention in El Paso, Texas, having been transferred there prior to ICE becoming aware of the Petition and Order in this case. However, he is now being transferred back to Minnesota, and Federal Respondents do not contest jurisdiction.

² Federal Respondents agree that this matter is not materially legally distinguishable from *Eliseo A.A.*, 2025 WL 2886729 and *Mayamu K.*, 2025 WL 3641819 with respect to detention authority and basis for custody. Given this, Federal Respondents do not believe an evidentiary hearing is necessary.

(D. Minn. Oct. 20, 2025). Those issues are currently before the Eighth Circuit on expedited review in *Avila v. Bondi*, No. 25-3248 (8th Cir. docketed Nov. 10, 2025). Rather than belabor these proceedings by re-arguing points that the Court has considered and rejected, the Federal Respondents assert all arguments raised by the government in *Avila* and respectfully request that the Court preserve those arguments for appeal in this case. Federal Respondents do write to briefly address two additional issues.

First, Federal Respondents note that, though a minority view, dozens of courts across the country have adopted the government's interpretation of § 1225, including one yesterday in this district. *See, e.g., Jose C. v. Bondi et al.*, No. 26-135 (PAM-DTS), ECF No. 14 (D. Minn. Jan. 20, 2026); *Bidy M. v. Kandiyohi County Jail and United States of America*, No. 25-04791 (PAM-EMB), ECF No. 10 (D. Minn. Jan. 16, 2026); *Abdirahmaan G. v. Noem*, No. 26-34 (PAM-SGE), ECF No. 7 (D. Minn. Jan. 14, 2026) at 4-5 (finding the “growing minority of district courts to reject Petitioner’s argument” correct).

Second, the Court’s order required Federal Respondents to address whether Petitioner is a *Bautista* class member. *See* Order at 2. Based on the information currently available, Petitioner was encountered by U.S. Border Patrol upon arrival and so does not appear to be a class member, however partial final judgment in *Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 U.S. Dist. LEXIS 262265 (C.D. Cal. Dec. 18, 2025), would not be binding here in any case. That judgment is on appeal, *see Bautista, et al. v. United States Department of Homeland Security, et al.*, No. 25-7958 (9th Cir.), and as another district court found after examining the issue in detail, it does not have preclusive effect. *See Lopez v. Lyons*, No. 1:25-CV-226, 2025 U.S. Dist. LEXIS 265505 (N.D. Tex.

Dec. 19, 2025). Moreover, the Ninth Circuit itself has held that a prior “class action has no preclusive affect in habeas proceedings,” *Griffin v. Gomez*, 139 F.3d 905 (9th Cir. 1998), nor do res judicata and collateral estoppel do not apply to them. *See Clifton v. Attorney General*, 997 F.2d 660, 662 n.3 (9th Cir. 1993) (because “conventional notions of finality of litigation have no place” in habeas the inapplicability of res judicata to habeas is “inherent in the very role and function of the writ”) (quoting *Sanders v. United States*, 373 U.S. 1, 8 (1963)). Other circuit courts of appeal agree. *See, e.g., Hardwick v. Doolittle*, 558 F.2d 292, 295 (5th Cir. 1977) (“The doctrines of res judicata and collateral estoppel are not applicable in habeas proceedings.”); *Hierens v. Mizell*, 729 F.2d 449, 456 (7th Cir. 1984) (“[A] decision in another case is not res judicata as to a habeas proceeding.”).

Nor are Respondents bound by the *Bautista* declaratory judgment as parties. “[T]he proper respondent to a habeas petition is ‘the person who has custody over [the petitioner].’” *Rumsfeld v. Padilla*, 542 U.S. 426, 434 (2004). Here, that is local ICE Field Office Director David Easterwood, not “remote supervisory official[s]” like Ms. Noem, Ms. Bondi, or Mr. Lyons. *Id.* 542 U.S. 426 at 435. Mr. Easterwood is not a party to *Bautista*.

For all these reasons, and those articulated in *Avila*, Federal Respondents respectfully submit the Petition should be denied.

Dated: January 21, 2026

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