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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jose Alfredo Anaya

Petitioner,

v.

Kristi Noem, *et.al.*

Respondents.

Case No. 0:26-cv-00480-JMM-ECW

**PETITIONER'S OBJECTION TO
RESPONDENTS' MOTION TO
DISMISS OR TRANSFER**

Petitioner concedes that *generally*, in habeas cases, venue is proper in the judicial district where the person is detained at the time of filing. However, if the petition is not filed in the district of confinement, it should be explained why venue is proper under 28 U.S.C. § 1391(e), which provides that, “in cases where the respondent is a U.S. officer, employee or agency, venue lies in any judicial district where respondent resides, where a substantial part of the relevant events/omissions occurred, or where the petitioner resides if no real property is involved in the action.” *Id.*

In the present case, Respondents are U.S. officers, employees and agencies, Petitioner resides in the State of Minnesota. Petitioner was apprehended and detained in in the state of Minnesota. This was outlined in his Petition. Petitioner has children, family, and employment in the State of Minnesota. A substantial part of the relevant events regarding Petitioner’s detention occurred in the State of Minnesota, where Petitioner was apprehended and detained as part of “Metro Surge.”

Respondents transferred Petitioner, knowing that his attorney is located in the State of Minnesota, and knowing that he has pending U Visa and T Visa applications as a victim of labor trafficking filed by his attorney in Minnesota, thereby directly impeding his due process rights to access to counsel and for his case to be heard in the jurisdiction in which he lives . DHS/ICE has been transferring Petitioners out of Minnesota in an effort to inhibit their opportunities to fight their cases. Moving Petitioners to different states impedes the ability to work on their cases with their attorneys and creates confusion, fear, and chaos. *Rumsfeld v. Padilla*, decided in 2004, could not have foreseen this blatant abuse of the law in order to circumvent due process.

Petitioner maintains that the U.S. District Court of Minnesota has jurisdiction in this matter and asks that Respondents’ motion be dismissed.

DATED this 22nd of January, 2026.

Respectfully submitted,

KHANH NGUYEN LAW OFFICE

//ss//Khanh Nguyen

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