

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 26-cv-482 (KMM/ECW)

ABNER EZEQUIEL ROSA RAMOS,

Petitioner,

v.

DAVID EASTERWOOD, *et al.*,

Respondents.

**FEDERAL RESPONDENTS'
COMBINED RESPONSE TO
HABEAS PETITION AND
MOTION FOR TRO**

Petitioner filed this petition for a writ of habeas corpus to secure release or a bond hearing in connection with Petitioner's detention by the U.S. Immigration and Customs Enforcement ("ICE"), accompanied by an emergency motion for a temporary restraining order and preliminary injunction. Petitioner is currently detained within the District of Minnesota by ICE pursuant to 8 U.S.C. § 1225(b)(2)(A), as Petitioner 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 Petitioner is "not clearly and without a doubt entitled to be admitted." 8 U.S.C. § 1225(b)(2)(A). Under that provision, Petitioner is ineligible for release or bond. *See id.*

This petition and motion raise legal and factual issues similar to those in prior habeas petitions this Court has decided, some (like this case) also involving motions for injunctive relief. 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 rearguing points the Court has considered and rejected, Federal Respondents assert all arguments raised by the government in *Avila* and respectfully

request that the Court preserve those arguments for any appeal in this case. *Cf. Mauro Johnny P.P. v. Lyons*, Case No. 26-cv-204 (LMP/DJF), Order, ECF No. 5 at 2 n.1 (calling abbreviated response “a model example” in the circumstances, as it “preserves the Government’s arguments for appeal while avoiding the effort of filing the same recycled template that this Court has already rejected”).

Dated: January 23, 2026

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