

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 26-cv-485 (JWB/EMB)

IVAN RODRIGUEZ,

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 release or a bond hearing in connection with Petitioner’s detention by the U.S. Immigration and Customs Enforcement (“ICE”). Petitioner is currently detained 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 raises legal and factual issues similar to those in prior habeas petitions this Court has decided. 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”).

Respondents have one issue to bring to the Court’s attention. Shortly after this case was filed, the Court entered an order directing the Federal Respondents not to remove Petitioner from the Jurisdiction of the United States District Court for the District of Minnesota. Dkt. 4, at 3. Petitioner was then transferred to a facility in Texas on January 21, 2026, before the Enforcement and Removal Operations personnel who carried out the transfer learned of the Court’s order. Since that time, the Federal Respondents’ undersigned counsel and attorneys within ICE’s Office of the Principal Legal Advisor have worked to arrange for Petitioner’s return to Minnesota. The Federal Respondents’ undersigned counsel also discussed the issue earlier today with Petitioner’s counsel. And the parties agree that regardless of Petitioner’s location, the Court has jurisdiction to issue a ruling on his petition as soon as practicable.

Dated: January 23, 2026

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s/ David W. Fuller

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