UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Jorge Alejo-Gonzalez and Orlando Alejo-Romero, Petitioners, v. Pamela Bondi, Attorney General, Kristi Noem, Secretary, U.S. Department of Homeland Security, Todd M. Lyons, Acting Director of Immigration and Customs Enforcement, and David Easterwood, Acting Director, St. Paul Field Office Immigration and Customs Enforcement. Respondents.	Case No. 0:26-cv-01392 **VERIFIED PETITION FOR WRIT OF HABEAS CORPUS** Expedited Handling Requested

INTRODUCTION

1. Petitioners Jorge Alejo-Gonzalez and Orlando Alejo-Romero, by and through counsel, hereby file this petition for a writ of habeas corpus and a complaint for declaratory and injunctive relief to require U.S. Immigration and Customs Enforcement ("ICE") to release them from ICE detention.

JURISDICTION AND VENUE

2. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331 (federal question); 28 U.S.C. § 1361 (federal employee mandamus action); 28 U.S.C. § 1651 (All Writs Act); 28 U.S.C. § 2241 (habeas corpus); Art. I, § 9, c. 2 of the U.S. Constitution ("Suspension Clause"); 5 U.S.C. § 702 (waiver of sovereign immunity); and 28 U.S.C. § 2201 (Declaratory Judgment Act).

3. Federal question jurisdiction exists because Petitioners seek to challenge this custody as a violation of the Constitution and the Immigration and Nationality Act, 8 U.S.C. § 1101 et seq.

4. Federal district courts have jurisdiction under 28 U.S.C. § 2241 to hear habeas petitions by noncitizens challenging the lawfulness or constitutionality of their detention by the Department of Homeland Security ("DHS"). *Demore v. Kim*, 538 U.S. 510 516-17 (2003); *Jennings v. Rodriguez*, 138 S. Ct. 830, 839-41 (2018); and *Nielsen v. Preap*, 139 S. Ct. 954, 961-63 (2019).

5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b), (e)(1)(B), and 2241(d) because Petitioners are Minnesota residents who were apprehended within the District of Minnesota and immediately placed into federal immigration custody, the legality of which is the subject of the instant Petition.

6. Venue is also proper in this Court pursuant to 28 U.S.C. § 1391(e)(1)(A), because Respondents are operating in this district.

PARTIES

7. Petitioner Jorge Alejo-Gonzalez is a citizen of Mexico and a resident of Austin, Minnesota. Petitioner has been indefinitely detained by Respondents since he and his son, Petitioner Orland Alejo-Romero, were arrested on February 10, 2026.

8. Petitioner Orlando Alejo-Romero is a citizen of Mexico and a resident of Austin, Minnesota. Petitioner has been indefinitely detained by Respondents since he and his father, Petitioner Jorge Alejo Gonzalez, were arrested on February 10, 2026.

9. Respondent Pamela Bondi is being sued in her official capacity as the Attorney General of the United States and the head of the Department of Justice. Attorney General Bondi shares responsibility for implementation and enforcement of the immigration detention statutes, along with Respondent Noem. Attorney General Bondi is a legal custodian of Petitioners.

10. Respondent Kristi Noem is being sued in her official capacity as the Secretary of the Department of Homeland Security. In this capacity, Secretary Noem is responsible for the administration of the immigration laws pursuant to 8 U.S.C. § 1103(a), routinely transacts business in the District of Minnesota, supervises the Fort Snelling ICE Field Office, and is legally responsible for pursuing Petitioners' detention and removal. As such, Respondent Noem is a legal custodian of Petitioners.

11. Respondent Todd M. Lyons is the Acting Director of U.S. Immigration and Customs Enforcement and is sued in his official capacity. Defendant Lyons is responsible for Petitioners' detention.

12. Respondent David Easterwood is being sued in his official capacity as the Acting Field Office Director for the Fort Snelling Field Office for ICE within DHS. In that capacity, Field Director Easterwood has supervisory authority over the ICE agents responsible for detaining Petitioners. The address for the Fort Snelling Field Office is 1 Federal Drive, Fort Snelling, Minnesota 55111.

FACTUAL ALLEGATIONS AND PROCEDURAL HISTORY

1. Petitioner Jorge Alejo-Gonzalez is a citizen of Mexico and a resident of Austin, Minnesota.

2. Petitioner Orlando Alejo-Romero is a citizen of Mexico and a resident of Austin, Minnesota.

3. Petitioners entered the United States more than twenty years ago, in 2004.

4. Petitioner Alejo-Romero has a pending DACA application, while Petitioner Alejo-Gonzalez has a pending U-visa application. They are both represented by immigration counsel in those matters and have never been subject to removal proceedings.

5. Petitioner Alejo-Gonzalez lives with his wife and children, including Petitioner Alejo-Romero, in Austin, Minnesota. They have lots of family in the area and many friends and community members who love them dearly.

6. The family is active in school activities and regularly attend church in Austin.

7. Petitioner Alejo-Gonzalez suffered a traumatic brain injury and nasal bone fracture in June 2025, for which he is receiving ongoing medical attention. He is

awaiting surgery, and takes regular prescribed medications. Upon information and belief, he does not have access to these medications while in detention.

8. On February 10, 2026, Petitioners had just picked up Chinese take-out for their family dinner. It was a difficult time, as earlier that day the family had buried the family patriarch—Petitioner Alejo-Romero's grandfather and Petitioner Alejo-Gonzalez's father-in-law.

9. Petitioners stopped at a local grocery store on the way home, where they were surrounded by masked ICE agents in tactical gear who violently tackled them to the ground in the parking lot, held them down, and handcuffed them.

10. Respondents did not allege to have or produce any warrant justifying Petitioners' detention. Nor did they appear to have any basis for probable cause or reasonable suspicion of criminal activity. Instead, Petitioners' detention appeared to be the result of racial profiling.

11. Petitioners' arrest is part of an operation that now spans across the Twin Cities metropolitan area called "Operation Metro Surge." This operation has involved hundreds of masked, unidentified individuals in unmarked vehicles (many with illegally covered or mismatched license plates) holding themselves out as ICE agents but largely refusing to identify themselves by name or to present warrants, physically assaulting pedestrians, pepper spraying and arresting citizen observers, hitting passersby with vehicles, and generally attempting to take as many immigrants as possible into custody regardless of the constitutionality of their actions. *See*, e.g., Compl., *Tincher et. al. v. Noem*, No. 0:25-cv-04669. (D. Minn. 12/17/2025).

12. Since the operation began on December 1, 2025, the number of immigration officials in the twin city metro area has increased exponentially, and with them these new agents have brought a similarly massive increase in unconstitutional, unlawful, and downright violent behavior towards citizens and non-citizens alike. The people of Minnesota–of all races, nationalities, and citizenship status–are united in their shock and fear at the events of the past six weeks, and are begging for the attacks on their community to stop.

13. In addition to the surge of federal agents in the Twin Cities metropolitan area, ICE has also boosted these numbers by contracting with private "bounty hunters" to detain and arrest people they profile as not being citizens. *See* Sam Biddle, *10 Companies Have Already Made $1 Million As Ice Bounty Hunters*, The Intercept (Dec. 23, 2025, 3:38 P.M.), https://theintercept.com/2025/12/23/ice-bounty-hunters-track-immigrant-surveillance/.

14. Since Operation Metro Surge began, reports of unconstitutional behavior by federal agents and deputized bounty hunters—including suspicionless seizures, warrantless arrests without probable cause, searches of homes without warrants, unreasonable uses of force, and detention of immigrants with meritorious habeas claims—have reached unprecedented levels in flagrancy, manner, and scope. The massive volume of perceived non-citizens being taken from the streets has created an enormous need for litigation of meritorious habeas claims, and *pro bono* counsel such as the undersigned has been inundated with requests for legal assistance.

15. Respondents are transporting detained immigrants across the country with increasing frequency and magnitude, making it difficult if not impossible to identify the precise location of detained individuals, let alone facilitate access to counsel. *See, e.g.*, Ellie Roth, *Observer: ICE Detainee Flights Increase at MSP as Enforcement Action Ramps Up*, MPR News (Jan. 14, 2026 4:00 A.M.), https://www.mprnews.org/story/2026/01/14/ice-detainee-flights-leaving-msp-increase-as-surge-continues.

16. People detained as part of Operation Metro Surge are being brought to the Whipple Building at Fort Snelling, where they are detained in cramped quarters and then frequently sent to remote locations across Minnesota or to facilities as far away as El Paso, Texas, or New Mexico in a matter of mere minutes or hours and without notice. While at the Whipple Building, immigrant detainees are routinely denied access to counsel. *See generally* The Advocates for Human Rights and L.H.M. v. Noem, et al., Case No. 0:26-cv-00749 (ECF 1, Class Action Complaint).

17. Upon information and belief, given the volume of people currently being detained by ICE, Respondents and/or their agents are failing or refusing to comply with both orders by federal judges of this Court enjoining transfers of detained immigrants as well as their own internal regulations governing processing, documentation, and transportation of detained individuals. Since January 1, 2026, for example, ICE has violated at least "96 court orders … in 74 cases." Juan T.R. v. Noem, et al., Case No. 26-CV-0107 (PSJ/DLM). At least in some instances, ICE agents have admitted to transporting people by airplane before processing them for

detention and without allowing attorneys to visit them. The ICE online detainee locator has become an increasingly unreliable way to locate detained immigrants, and it is becoming increasingly common that Respondents lose track of who is in their custody. In no fewer than two of counsel's other habeas cases, Respondents erroneously claimed to have released or never had custody of the Petitioner, and it took *days* before Respondents were able to locate the detained Petitioner.

18. Upon information and belief, frequently moving detained immigrants from one federal judicial district to another serves as a means to frustrate meritorious legal claims for release and forum shop away from the District of Minnesota, where claims for relief that are the same or similar to those presented in the instant Petition frequently have been granted in whole or in part.

19. Upon information and belief, frequently moving detained immigrants with meritorious habeas claims also serves as a way to isolate them from their communities, their loved ones, and their counsel, in an attempt to demoralize people and encourage them to waive their legal rights and sign voluntary deportation agreements.

20. For people with pending immigration cases, moving detained immigrants outside the District of Minnesota creates significant barriers to litigating their claims in immigration court. In many of these cases, a person's immigration case is transferred to the jurisdiction in which the person is newly detained, which creates a secondary forum shopping incentive for rapidly transporting detainees. Regardless, moving detainees with pending immigration cases creates significant legal barriers

and disadvantages, as it becomes significantly more difficult to communicate with counsel, loved ones, and community supporters, and gather evidence to support their claims.

21. Detaining Petitioners is an expensive, cruel, and pointless endeavor. Petitioners respectfully seek the opportunity to return home and continue following the legal processes set up by Congress and DHS for immigrants to seek status in this country.

STANDARD OF LAW

22. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The "Great Writ" has been referred to by US Courts as "perhaps the most important writ known to the constitutional law of England, affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). A petitioner may seek a writ of habeas corpus when their custody violates the US Constitution or a federal law. 28 U.S.C. § 22441(c)(3), which should be granted if the petitioner meets their burden of proof–a preponderance of evidence. *Aditya W. H. v. Trump*, 782 F. Supp. 3d 691, 703 (D. Minn. 2025).

23. Detained immigrants petitioning under 28 U.S.C. § 2241 face no statutory exhaustion requirements. *Jose J.O.E. v. Bondi*, 797 F. Supp. 3d 957, 965 (D. Minn. 2025). Nor is a judicially imposed prudential exhaustion requirement appropriate where, as here: time is of the essence, facts are largely undisputed, and the parties' disagreement is based on a legal conclusion. *Id.* at 967-68.

24. Other courts in the Eighth Circuit have similarly declined to require prudential exhaustion when evaluating a detained immigrant's habeas corpus petition under similar circumstances–to address a question of statutory interpretation that does not require developing a factual record, and where the agency is demonstrably unlikely to reverse its course. *Giron Reyes v. Lyons*, 2025 WL 2712427 at *3 (N.D. Iowa Sept. 23, 2025).

25. "[T]he Due Process Clause applies to all 'persons' within the United States, including [immigrants], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

26. In July of 2025, Respondent DHS began ignoring the decades-long consensus of how 8 U.S.C. § 1225(b)(2) should be interpreted, which the Board of Immigration Appeals ("BIA") articulated in a subsequent ruling. *Matter of Yajure Hurtado,* 29 I&N Dec. 216 (BIA Sept. 5, 2025). Respondents suddenly claim that individuals who have been residing continuously within the United States are somehow metaphorically "seeking admission," simply because they may have pending claims for asylum or other forms of status.

27. However, this Court and the majority around the country have made clear that 8 U.S.C. § 1225(b)(2) only authorizes detention for noncitizens who are at the border seeking physical entry at the time of detention, not those whose detention is discretionary and governed by 8 U.S.C. § 1226(a). *Eliseo A.A. v. Olson*, Civ. No. 25-3381 (JWB/DJF), 2025 WL 2886729 (D. Minn. Oct. 8, 2025); *Mayamu K. v. Bondi*, Civ. No. 25-3035 (JWB/LIB), 2025 WL 3641819 (D. Minn. Oct. 20, 2025); *Khalid*

B.Q. v. Bondi, Civ. No. 25-4584 (JWB/DJF), Doc. No. 10 (D. Minn. Dec. 18, 2025); *Xuseen A. v. Bondi*, Civ. No. 25-4514 (JWB/DJF), Doc. No. 16 (D. Minn. Dec. 19, 2025); *Vedat C. v. Bondi*, Civ. No. 25-4642 (JWB/DJF), Doc. No. 9 (D. Minn. Dec. 19, 2025).

28. Here, Petitioners were apprehended within the United States, not at a border while seeking entry. Respondents wrongly assert 8 U.S.C. 1225(b)(2) as a basis for detaining them without a hearing, when instead any detention could only be pursuant to 8 U.S.C. 1226(a), which would also require a warrant and which here the Respondents are not purporting to invoke.[1]

CLAIMS FOR RELIEF

COUNT ONE

Fifth Amendment Due Process

Respondents are Confining Petitioners without A Valid Legal Basis or any Semblance of Due Process.

29. Petitioners reallege and incorporate by reference the allegations contained above.

30. Petitioners have due process rights as a resident of the United States. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

31. Federal courts use the three-part test in *Matthews v. Eldridge* to determine whether civil detention violates a detainee's due process rights. 424 U.S. 319 (1976).

[1] It has come to counsel's attention that Respondents have recently adopted the tactic of creating administrative "warrants" after illegally detaining immigrants as a post-hoc fabrication of legal authority for these warrantless and baseless mass arrests.

The elements of this test are: (1) the private interest that the official action affects; (2) the risk that the procedures used will result in an erroneous deprivation of the private interest, and the probable value, if any, of additional or substitute procedural safeguards; and (3) the Government's interest in following the existing procedures, both in achieving their objectives and in the potential burdens of an alternate procedure. *Id.* at 335.

32. Here, all three factors favor the Petitioners.

33. First, Petitioners have a significant private interest at stake. A person's interest in freedom from physical detention is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529, 124 S.Ct. 2633, 159 L.Ed.2d 578 (2004); see also *Zadvydas*, 533 U.S. at 690, 121 S.Ct. 2491 ("Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects."). Petitioners are wrongfully confined, a direct attack on their liberty interests.

34. Second, Petitioners will continue to be deprived of this interest if the current procedure (detaining them without a legal basis) is followed. There is no rational explanation for detaining Petitioners. Respondents' purported basis for detaining Petitioners under 8 U.S.C. 1225(b)(2) has been rejected time and time again in this court. *Ahmed A v. Bondi*, Case No. 25-4776 (JWB/DJF) (January 6, 2026); *Maldonado v. Olson*, 795 F. Supp. 3d 1134, 1142–48, 1150–52 (D. Minn. 2025); *Jose J.O.E. v. Bondi*, 797 F. Supp. 3d 957, 968–970 (D. Minn. 2025); *Mayamu K. v. Bondi*, Civ. No. 25-3035 (JWB/LIB), 2025 WL 3641819, at *7–8 (D. Minn. Oct. 20, 2025); *R.E. v.*

Bondi, No. 0:25-cv-3946-NEB, 2025 WL 3146312 (D. Minn. Nov. 4, 2025); *Herrera Avila v. Bondi*, No. 0:25-cv-3741 (JRT), 2025 WL 2976539 (D. Minn. Oct. 21, 2025).

35. Lastly, the Government has no legitimate interest in refusing to follow its own rules. Petitioners pose no safety threats to the community. Releasing Petitioners would in fact *save* the government the resources and expense of continued imprisonment.

36. The placement of Petitioners in detention pending the resolution of ongoing immigration proceedings violates their constitutional rights to due process guaranteed in the Fifth Amendment.

COUNT TWO

Immigration and Nationality Act, 8 U.S.C. § 1225(b)(2)

Petitioners' Ongoing Detention Pursuant to 8 U.S.C. § 1225(b)(2) is Unlawful because Petitioners are not Seeking Admission and therefore cannot be held under that Authority

37. Petitioners reallege and incorporate by reference each and every allegation contained above.

38. Respondents violate the Immigration and Nationality Act by attempting to apply mandatory detention through 8 U.S.C. § 1225(b)(2), to Petitioners. Petitioners were nowhere near the border and was not "seeking admission."

COUNT THREE

Violation of the Administrative Procedure Act, 5 U.S.C. § 706

Detaining Petitioners Pursuant to an Unlawful Interpretation of 8 U.S.C. § 1225(b)(2) violates the Administrative Procedure Act

39. Petitioners re-allege and incorporate by reference each allegation contained in the preceding paragraphs as if set forth fully herein.

40. The APA provides that a "reviewing court shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . arbitrary and capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A).

41. The APA provides that a "reviewing court shall . . . hold unlawful and set aside agency action, findings, and conclusions found to be . . . without observance of procedure required by law." 5 U.S.C. § 706(2)(D).

42. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens could properly be detained under § 1226(a), but would then be eligible for release on bond unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

43. Nonetheless, the Board has adopted a policy and practice of applying § 1225(b)(2) to Petitioners and others in the same position.

44. Respondents through its recent administrative decision failed to articulate any reasoned explanations for new interpretation of the Act. The Board's decision represents a change in the agencies' policies and positions that negates the plain language of the Act, the will of Congress, and decades of administrative precedent.

45. The application of § 1225(b)(2) to Petitioners is arbitrary, capricious, and not in accordance with law, and as such, it violates the APA. See 5 U.S.C. § 706(2).

REMEDY

46. An available remedy for Respondents' unlawful conduct as outlined in this complaint is for Petitioners to be released.

47. Immigration detention is civil in nature, and as a result Congress must have expressly authorized it by statute, and the detention must be reasonably related to its statutory purpose. *Zadvydas v. Davis*, 533 U.S. 678, 687, 690 (2001) (quoting *Jackson v. Indiana*, 406 U.S. 715, 738 (1972)). Detention here serves no statutory purpose, there is no indication that Petitioners' detention was based on any facts that might indicate that Petitioners should be in custody for some reason.

48. Since Section 1225 does not apply to noncitizens who are in Petitioners' situation—who have been detained while residing within the United States, as opposed to those who are detained while in the process of physically entering the United States, the law that Respondents are using to detain Petitioners simply does not apply so as to authorize their detention. *See Eliseo A.A. v. Olson*, Civ. No. 25-3381 (JWB/DJF), 2025 WL 2886729 (D. Minn. Oct. 8, 2025); *Mayamu K. v. Bondi*, Civ. No. 25-3035 (JWB/LIB), 2025 WL 3641819 (D. Minn. Oct. 20, 2025); *Khalid B.Q. v. Bondi*, Civ. No. 25-4584 (JWB/DJF), Doc. No. 10 (D. Minn. Dec. 18, 2025); *Xuseen A. v. Bondi*, Civ. No. 25-4514 (JWB/DJF), Doc. No. 16 (D. Minn. Dec. 19, 2025); *Vedat C. v. Bondi*, Civ. No. 25-4642 (JWB/DJF), Doc. No. 9 (D. Minn. Dec. 19, 2025).

49. When a habeas petitioner's detention is without legal basis, the typical remedy is release. *Munaf v. Geren*, 553 U.S. 674, 693 (2008) (describing release as the "typical remedy" for "unlawful executive detention").

50. Respondents will no doubt argue, as they have in similar cases before this Court, that if the Court rules that Petitioners should have been detained pursuant to § 1226, instead of § 1225, then the remedy is a bond hearing as opposed to outright release. *See*, e.g., *Ahmed A.* Civ. No. 25-4776, Doc. No. 9. at 9-10. However, this Court rejected this argument, saying that:

> [A] bond hearing presupposes lawful detention authority under § 1226. Where that authority has not been invoked or established, ordering a bond hearing would treat the absence of statutory authority as a mere procedural irregularity rather than a substantive defect … Where the record shows Respondents have not identified a valid statutory basis for detention in the first place, the remedy is not to supply one through further proceedings.
>
> *Id.* at Doc. No. 10 at 6.

51. Nor here would § 1226(a) have supported a lawful detention in the first instance. Detention under § 1226(a) would require a warrant issued by the Attorney General. *Jose J.O.E. v. Bondi*, 797 F. Supp. 3d 957, 961 (D. Minn. 2025). To put this plainly: "absent a warrant a noncitizen may not be arrested and detained under section 1226(a)." *See also Ahmed M. v. Bondi et al.*, 2026 WL 25627, *3 (D. Minn. Jan. 5, 2026) (quoting *Chogllo Chafla v. Scott*, --- F. Supp. 3d ---, No. 2:25-cv-00437-SDN, 2025 WL 2688541, at *11 (D. Me. Sept. 21, 2025)). Upon information and belief, Respondents had no such warrant.

52. This Court should similarly reject Respondents' argument and order immediate release as the appropriate remedy in this case.[2] Respondents do not claim

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[2] While Petitioner maintains that immediate release is the appropriate legal remedy for his unlawful detention, should this Court disagree, Petitioner maintains and renews his request for a bond hearing in the alternative.

to have a "warrant issued by the Attorney General" supporting Petitioners' recent arrest, nor has any such legal authority been produced to this Court. As Judge Eric C. Tostrud recently explained in a related case, "[s]ection 1226 provides that '[o]n a warrant issued by the Attorney General, an alien may be arrested and detained.'" *See Ahmed M. v. Bondi et al.*, No. 25-CV-4711 (ECT/SGE), 2026 WL 25627, at *7 (D. Minn. Jan. 5, 2026). As Judge Tostrud correctly concluded, the issuance of a warrant is a necessary prerequisite to even discretionary detention under § 1226(a). *See id.* In Ahmed M., like here, the petitioners were rearrested without any warrant. Thus, Ahmed M.'s detention was unlawful and release was the appropriate remedy, rather than continued illegal detention and a subsequent bond hearing. *See also Juan S.R. v. Bondi*, No. 26-cv-05 (PJS/LIB) (Order, January 12, 2026) (holding the same).

53. Petitioners' detention is similarly unlawful. Petitioners were and remain detained based on an incorrect, atextual application of 8 U.S.C. § 1225. Nor was there any warrant to justify their detention under 8 U.S.C. § 1226. Release from this unlawful detention is the appropriate remedy here.

REQUEST FOR ORDER TO SHOW CAUSE

54. Within three days, unless good cause for a delay is shown, "[a] court, justice or judge entering a writ of habeas corpus shall forthwith award the writ or issue an order directing the respondent to show cause why the writ should not be granted, unless it appears from the application that the applicant or person detained is not entitled thereto." 28 U.S.C. § 2243.

55. Petitioners respectfully request that the Court issue an Order to Show Cause directing Respondents to file a return within three days of the Court's order, showing cause, if any, why a writ of habeas corpus should not be granted.

PRAYER FOR RELIEF

WHEREFORE, Petitioners pray that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Enjoin Respondents from transferring Petitioners out of the District of Minnesota pending the duration of these proceedings, or transport them back to Minnesota if they are moved out of state;
3. Order Respondents to show cause as to why Petitioners should not be released immediately, without conditions;
4. If the Court sees fit to order Petitioners' release, include conditions to ensure their safety, including that release be:
    a. Within the State of Minnesota;
    b. At a safe time and place communicated in advance to counsel; and
    c. With all of Petitioners' personal effects in Respondents' possession, including driver's license and identification, immigration papers, passport, cell phone, cash, and keys;
5. Enjoin Respondents from implementing any condition of release, including ICE's "Alternatives to Detention" measures, which include ankle monitors, body-worn GPS, telephonic tracking, or use of the SmartLINK Mobile Application;

6. Retain jurisdiction over this matter to decide any future motion for an award of reasonable attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, Local Rule 54.3(a), and on any other basis justified under law; and

7. Grant any other and further relief that this Court may deem just and proper.

Date: February 12, 2026

Respectfully submitted,

____//s//Claire Nicole Glenn_____

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Attorney for Petitioner

Verification by Someone Acting on Petitioners' Behalf Pursuant to 28 U.S.C. § 2242

I am Petitioners' attorney and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Verified Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, which knowledge comes from conversations with Petitioners' family members when preparing this filing and my awareness of my own experiences and the experiences of my colleagues when litigating similar petitions for habeas corpus relief by wrongfully detained immigrants since the beginning of Operation Metro Surge.

Date: February 12, 2026

Respectfully submitted,

____//s//Claire Nicole Glenn_____

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