UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 26-cv-1392

JORGE ALEJO-GONZALEZ, *et al.*,

Petitioners,

v.

PAMELA BONDI,
ATTORNEY GENERAL, *et al.*

Respondents.

FEDERAL RESPONDENTS' RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

Petitioners filed this petition for a writ of habeas corpus to secure release or a bond hearing in connection with Petitioners' detention by U.S. Immigration and Customs Enforcement ("ICE"). On February 10, 2026, Petitioners were issued Warrants for Arrest, Form I-200. Petitioners are currently detained, by ICE pursuant to 8 U.S.C. § 1225(b)(2)(A), as Petitioners falls under the statutory definition of an "applicant for admission," *see* 8 U.S.C. § 1225(b)(1), and an examining immigration officer have determined that Petitioners are "not clearly and without a doubt entitled to be admitted." 8 U.S.C. § 1225(b)(2)(A). Under that provision, Petitioners are 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), and the Fifth Circuit recently agreed with the government's position in *Buenrostro-Mendez v. Bondi*, -- F.4th --, 2026 WL 323330 (5th Cir. Feb. 6, 2026). 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 endorsed by *Buenorostro-Mendez* 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: February 14, 2026

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