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-1392 (ECT/DLM) **REPLY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

COME NOW Petitioners Jorge Alejo-Gonzalez and Orlando Alejo-Romero,[1] by and through counsel, and submit this reply in support of their Petition for a Writ of Habeas Corpus and the relief requested therein.

In their answer, Respondents vaguely assert that "[o]n February 10, 2026, Petitioners were issued Warrants for Arrest, Form I-200." ECF 6 at 1. Notably,

[1] While a young person, and the child of Petitioner Jorge Alejo-Gonzalez, Petitioner Orlando Alejo-Romero is not a minor child. Thus, Petitioners do not obscure his name by use of initials.

Respondents do not assert that the Petitioners' arrest occurred pursuant to any warrant. Instead, the "warrant" Respondents have produced in this case appears to reflect the latest tactic by ICE—adopted in this case, as well as several other recent cases involving similar habeas claims—in which Respondents obtain administrative "warrants" after an immigrant's unlawful detention as a post-hoc fabrication and then present the post-hoc fabrication with vague language and calculated omissions intended to mislead this Court. *See, e.g.*, *Juan Gabriel M.A. v. Bondi, et al.*, No. 26-CV-852 (NEB/DTS) (Doc. Nos. 6-12); *Jose Antonio H.S. v. Bondi, et al.*, No. 26-CV-1253 (NEB/DTS) (Doc. Nos. 6, 9, 11); *Mauricio M. v. Bondi, et al.*, No. 26-CV-1308 (ECT/JFD) (Doc. No. 8); *Enyer O.L. v. Bondi, et al.*, No. 26-CV-1078 (MJD/SGE) (Doc. No. 9). Simply put, if Respondents' agents had had valid warrants authorizing Petitioners' arrest which was issued prior to their arrest and served at the time of their arrest, Respondents would have said so. But they do not, because they did not.

In this case, there are numerous reasons this Court should reject Respondents' attempts to bootstrap an after-the-fact administrative warrant into a legal justification for Petitioners' warrantless abduction and indefinite detention. First, the document on its face appears to be an administrative "warrant" issued only against Jorge Alejo-Gonzalez, not Orlando Alejo-Romero; Respondents assertion that there were plural "[w]arrants" appears to be patently false from the outset. Second, the document produced with respect to Petitioner Alejo-Gonzalez appears to have been issued by an immigration officer identified only by the last name "Johnson," and served by an individual identified only as "K. Vaughns," with no other identifying information. Third, the location of service is listed

only as "Austin, MN," without any further details. Fourth, the document does not include any time-stamps indicating when this administrative "warrant" was issued or served. Fifth, notably absent from the Form I-200 is any "Notice to Appear" for removal proceedings. *See Castanon Nava v. Dep't of Homeland Sec.*, No. 18-CV-3757, 2025 WL 2842146, at *17 (N.D. Ill. Oct. 7, 2025) (finding that ICE lacks the authority to engage in issuing I-200 "warrants" without "concurrent or prior issuance of a Notice to Appear"); *see also Oscar R.R.G. v. Bondi*, No. 26-CV-1204 (JRT/SGE) (Doc. 6) (adopting the reasoning of the Northern District of Illinois in *Castanon Nava*); *Enyer O.L. v. Bondi, et al.*, No. 26-CV-1078 (MJD/SGE) (Doc. No. 9) (same).

In its order to show cause, this Court directed Respondents to include in their answer "such affidavits and exhibits as are needed to establish the lawfulness and correct duration of Petitioner's detention in light of the issues raised in the habeas petition." ECF 4 at 1. In his Petition, Mr. Herrera Santos asserts that the ICE agents who surrounded him on the street and then arrested him did not produce any warrant justifying his arrest. ECF 1 at ¶¶ 15-16. Respondents have entirely failed to present record evidence contradicting Petitioner's claims. Particularly considering that Respondents and their agents could have produced declarations from individuals with personal knowledge and failed to do so, the silence as to precisely when and why this administrative "warrant" issued is deafening.

Finally, and most critically, this Court issued an order to show cause directing Respondents to include in their answer "[s]uch affidavits and exhibits as are needed to establish the lawfulness and correct duration of Petitioner's detention in light of the issues raised in the Petition." ECF 3 at 1. In their Verified Petition, Petitioners assert that the

ICE agents who arrested them did not produce any warrant justifying either Petitioner's arrest, and instead the arrest appeared to be the result of racial profiling. ECF 1 at ¶¶ 8-10. Respondents have entirely failed to present record evidence contradicting Petitioners' claims. Particularly considering that Respondents and their agents could have produced declarations from individuals with personal knowledge as to the alleged authenticity, issuance, and service of this document and failed to do so, the silence—as to precisely whether, when, and why this administrative "warrant" was issued and served—is deafening.

Accordingly, Petitioners renew their request that this Court grant their verified petition for a writ of habeas corpus and order their immediate release from unlawful detention.

Date: February 16, 2026

Respectfully submitted,

____//s//Claire Nicole Glenn_____
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