UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JORGE ORTIZ CEDILLO Petitioner, 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. ________ **VERIFIED PETITION FOR WRIT OF HABEAS CORPUS** Expedited Handling Requested

INTRODUCTION

1. Petitioner, Mr. Jorge Ortiz Cedillo, by and through the undersigned attorney, hereby files 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 him from ICE detention, or in the alternative to provide a bond hearing pending the completion of any immigration proceedings.

2. Petitioner is 37 years old, a national of Mexico, and is a U nonimmigrant in valid status. Petitioner's arrest is part of the U.S. Department of Homeland Security's recent nationwide strategy of detaining thousands of noncitizens without warrants while they are going about their daily lives. Through this practice, the U.S. Department of Homeland Security has sought to leverage detention as a means of circumventing substantive and procedural safeguards and pressuring noncitizens into removal. In Petitioner's case, Immigration and

Customs Enforcement officers approached him as he was sitting in his car in the parking lot and detained him, despite Petitioner being in lawful immigration status and there being no lawful basis for his detention.

PARTIES

3. Petitioner is a Mexican national who resides in Columbia Heights, MN. Petitioner was the victim of a serious crime, which formed the basis for his approval of U nonimmigrant status. Petitioner is in the custody, and under the direct control, of Respondents and their agents and has no scheduled release date. When Petitioner was detained on January 9, 2026, he was initially held at the Bishop Henry Whipple Federal Building in Fort Snelling, MN. It is unclear exactly where Petitioner is currently detained. Petitioner has contacted his partner and informed her that he has been moved, but to date, neither Petitioner's information, his place of detention, nor his current location are on the ICE Online Detainee Locator System on ICE's public website, despite that system indicating that it possesses information on all detainees that have been detained longer than forty-eight hours and are over the age of eighteen. Online Detainee Locator System, U.S. Immigration and Customs Enforcement, available at https://locator.ice.gov/odls/#/search, last accessed February 7, 2026.

4. Respondent David Easterwood is being sued in his official capacity as the Acting Field Office Director of the Fort Snelling Field Office for Immigration and Customs Enforcement within the U.S. Department of Homeland Security. In this capacity, he is responsible for the administration of immigration laws and the execution of detention and removal determinations and is a custodian of Petitioner. Field Director Easterwood has

supervisory authority over the ICE agents responsible for detaining Petitioner. The address for the Fort Snelling Field Office is 1 Federal Drive, Fort Snelling, Minnesota 55111.

5. Respondent Todd Lyons is being sued in his official capacity as the Acting Director of Immigration and Customs Enforcement. As the Senior Official Performing the Duties of the Director of Immigration and Customs Enforcement, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in the District of Minnesota; is legally responsible for pursuing any effort to remove Petitioner; and as such is a custodian of Petitioner. His address is Immigration and Customs Enforcement, Office of the Principal Legal Advisor, 500 12th St. SW, Mail Stop 5900, Washington, D.C. 20536-5900.

6. Respondent Kristi Noem is being sued in her official capacity as the Secretary of Homeland Security in the U.S. Department of Homeland Security. In this capacity, she is responsible for the administration of the immigration laws pursuant to section 103(a) of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1103(a); routinely transacts business in the District of Minnesota; is legally responsible for pursuing any effort to detain and remove Petitioner; and as such is a custodian of Petitioner. Respondent Noem's address is U.S. Department of Homeland Security, Office of the General Counsel, 2707 Martin Luther King Jr. Ave. SE, Washington, D.C. 20528-0485.

JURISDICTION & VENUE

7. The Court has subject matter jurisdiction pursuant to Article I, § 9, cl. 2 of the U.S. Constitution ("The privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require.").

8. The Court also has subject matter jurisdiction under 28 U.S.C. § 1331 (federal question), 28 U.S.C. § 2241 (habeas corpus) and the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*

9. Federal question jurisdiction exists because Petitioner seeks to challenge this custody as a violation of the Constitution.

10. 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).

11. Petitioner was apprehended within the State of Minnesota, conferring jurisdiction upon this Court. Slip Op. 2, *Sue H.*, No. 26-cv-416 (D. Minn. Jan. 20, 2026). Any subsequent decision by respondents to remove Petitioner from Minnesota to frustrate his efforts to exercise his due process rights and obtain habeas relief does not divest this Court of jurisdiction. *Id.*

12. Venue is proper under 28 U.S.C. § 2241(d) because Petitioner is or was detained at a facility within the District of Minnesota. As held in *Sue H.*, "habeas jurisdiction attaches at the time of the Petitioner's apprehension," further stating that "jurisdiction is not defeated by any subsequent decision by Respondents to transfer Petitioner to another state." Slip Op. 2, No. 26-cv-0416. That decision included an order requiring that a habeas petitioner transferred out of state be returned to Minnesota. *See also Victor P. v. Kristi Noem, et al.*, No. 26-cv-430 (MJD/SGE) (D. Minn. Jan. 19, 2026) ("[H]abeas jurisdiction attached at the time of Petitioner's apprehension in this District. That jurisdiction is not

defeated by any subsequent decision by Respondents to transfer Petitioner to another state. Habeas jurisdiction turns on custody and control, not on the Government's unilateral post-seizure movement of the detainee. The position that jurisdiction lies exclusively in the district to which Respondents transfer a petitioner would permit the Government to determine the forum for judicial review through its own logistics. Federal courts may not be divested of jurisdiction in that manner."); *see also Jose A. v. Noem*, No. 26-cv-480 (JMB/ECW), 2026 WL 172524 (D. Minn. Jan. 22, 2026) (holding that to find jurisdiction proper in El Paso, Texas would encourage respondents to forum shop).

13. Additionally, because Petitioner was detained in Minnesota and then potentially moved several other times, all the while being unlocatable using ICE's public Online Detainee Locator system, "the Government was not forthcoming with respect to the identity of the custodian and the place of detention" and so the immediate custodian and district of confinement rules do not apply. *Rumsfeld v. Padilla*, 542 U.S. 426, 454 (2004); *see also Carlos D.V. v. Noem*, No. 26-cv-521 (JWB/LIB) (D. Minn. Jan. 29, 2026) (finding that an exception to the immediate custodian and district of confinement rules applied where the petitioner was arrested in Minnesota, transferred to Texas, was informally told he would be transferred to New Mexico, was in transit to a new location, and did not appear in ICE's Online Detainee Locator System).

THE ALL WRITS ACT AND THE REQUIREMENTS OF 28 U.S.C. § 2243

14. The All Writs Act provides that all courts established by Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law. 28 U.S.C. § 1651

15. The Court must grant the petition for writ of habeas corpus or issue an order to show cause ("OSC") to the respondents "forthwith," unless the Petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require Respondents to file a return "within *three days* unless for good cause additional time, not exceeding twenty days, is allowed." *Id.* (emphasis added).

FACTUAL SUMMARY

16. Petitioner is a resident of Columbia Heights, Minnesota, and a citizen of Mexico. Petitioner is 37 years old and has lived in the United States since he was 3 years old.

17. Petitioner was the victim of a serious crime, reported the crime to law enforcement, and was granted U nonimmigrant status in 2019. Petitioner has maintained lawful U nonimmigrant status since it was granted. In January 2023, Petitioner filed for adjustment of status to lawful permanent residency based on his U nonimmigrant status, prior to the date of expiration of his status, which automatically extended the validity of his status while his adjustment of status application is pending. *See* 8 U.S.C. § 1184(p)(6). Although Petitioner received a denial of his adjustment of status application in November 2025, he filed a timely appeal in December 2025, and so his denial is not final, and his adjustment application remains pending. *See* 8 C.F.R. § 245.24(f)(2).

18. Petitioner is authorized to work incident to his U nonimmigrant status. 8 C.F.R. § 274a.12(a)(20). Petitioner works full time to support his partner, his two U.S. citizen children (ages 10 and 14), and his partner's 17-year-old child. Petitioner pays taxes to the government of the United States and Minnesota.

19. Petitioner lives with his 10-year-old child, his partner, and her child in Columbia Heights, Minnesota.

20. Petitioner was convicted of disorderly conduct in 2010 and a DUI in 2011, and since then, has had no criminal history other than traffic violations.

21. On Friday, January 9, 2026, around 10:30 AM, Petitioner was in his car in a parking lot about to begin working when he was surrounded by 5 vehicles with ICE agents. Petitioner was immediately detained, and although he told the agents he was in lawful U status, the agents said that it had expired and they were arresting him.

22. This arrest was part of an operation in Hennepin County and Ramsey County 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. Dec. 17, 2025).

23. Petitioner has contacted his partner multiple times since the date of his arrest to inform her that he is being or has been transferred. Petitioner's partner has attempted multiple times since January 9, 2026, to locate Petitioner on the ICE Online Detainee Locator without success. The undersigned used ICE's Online Detainee Locator system to attempt to confirm Petitioner's location. At the time of this filing, ICE's online system shows no results with a search using Petitioner's alien number [redacted] and country of birth (Mexico). *See* https://locator.ice.gov/odls/#/search. ICE claims that this tool functions to "locate a

detainee who is currently in ICE custody or who has been in U.S. Customs and Border Protection's custody for more than 48 hours." *Id.*

24. Petitioner is scheduled for a master calendar hearing on February 10, 2026. Prior to the current proceedings, Petitioner has never been in removal proceedings.

25. Petitioner poses no risk to society and has strong connections to his community in Hennepin County.

26. Petitioner respectfully seeks the opportunity to return to his home in Columbia Heights, Minnesota, and to continue following the legal processes set up by Congress and DHS for immigrants to seek permanent status in this country.

LEGAL BACKGROUND

Statutory Bases for Immigration Detention

27. There are three statutory schemes whereby the Government may subject noncitizens to civil, immigration detention.

28. Pursuant to 8 U.S.C. § 1231, a noncitizen, who is subject to a final order of removal, may be detained to effectuate their removal from the United States.

29. Under the "expedited removal" scheme found at 8 U.S.C. § 1225, et. seq., a truncated process with limited due process protections intended to apply to certain persons apprehended at the border, noncitizens are subject to mandatory rather than discretionary detention.

30. Pursuant to 8 U.S.C. § 1226, a noncitizen may be detained, during the pendency of a removal proceeding. These grounds are either discretionary (§ 1226(a)) or mandatory (§ 1226(c)), for specific criminal grounds not applicable to the within matter.

31. The aforesaid bases of detention must be read in light of the U.S. Constitution, as it establishes due process rights for "all 'persons' within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). Immigration detention must further the twin goals of (1) ensuring the noncitizen's appearance during removal proceedings and (2) preventing danger to the community. *See id.* at 690.

The U-Visa Program

32. Congress authorized the U-Visa program in 2000 as part of a broad effort to extend legal protection to noncitizens who were victimized by crimes committed after their arrival in the United States. *See* Pub. L. No. 106-386, § 1513(a)(2)(B), 114 Stat. 1464 (codified at 8 U.S.C. § 1101(a)(15)(U)). The purpose of the U-Visa provisions is to "strengthen the ability of law enforcement agencies to detect, investigate, and prosecute cases of domestic violence, sexual assault, trafficking of [noncitizens], and other crimes . . . , while offering protection to victims of such offenses in keeping with the humanitarian interests of the United States." Pub. L. No. 106-386, § 1513(a)(2)(A).

33. A grant of a U-Visa is a grant of nonimmigrant status, allowing the noncitizen to live and work in the United States as a visa holder. After at least three years of physical presence in the United States, a person granted a U-Visa nonimmigrant status may apply for permanent resident status. *See* 8 U.S.C. § 1255(m).

34. The validity of U nonimmigrant status is automatically extended by timely filing an application for adjustment of status and remains valid while the nonimmigrant awaits a decision on the application. 8 U.S.C. § 1184(p)(6). If a U nonimmigrant appeals the denial

of their application for adjustment of status, the application remains pending and the denial does not become final until the resolution of the appeal. 8 C.F.R. § 245.24(f)(2).

Inapplicability of Bases for Immigration Detention to Petitioner

35. None of the three statutory schemes apply in this case where Petitioner is in lawful status, making Petitioner's detention unlawful.

36. As Petitioner has never been issued a removal order, 8 U.S.C. § 1231, authorizing detention of noncitizens subject to a final order of removal to effectuate their removal from the United States, does not apply.

37. Expedited removal is a protocol whereby immigration officers from U.S. Customs and Border Protection, a division of DHS, may order the summary deportation of certain persons seeking admission into the United States. 8 U.S.C. § 1225, *et. seq*. These provisions do not apply to Petitioner, as he was granted U nonimmigrant status and remains in lawful status, and thus he is not seeking admission and subject to the grounds of inadmissibility. 8 U.S.C. § 1225.

38. 8 U.S.C. § 1226(a) allows the Attorney General to arrest and detain noncitizens pending a determination on their removability. The only possible statutory authority for a U nonimmigrant admitted to the United States who lacks any criminal history making him removable is 8 U.S.C. 1226(a). That statute allows DHS to detain a noncitizen "[o]n a warrant issued by the Attorney General… pending a decision on whether the alien is to be removed from the United States." 8 U.S.C. 1226(a). But this statute only applies to those whom DHS places into removal proceedings under 8 U.S.C. 1229(a) pursuant to a charge that the noncitizen has triggered a ground of removal. For a noncitizen with lawful status such as a U nonimmigrant, DHS may only commence removal proceedings, and thus

justify 1226(a) detention, if they are alleged to have triggered one or more grounds of deportability under 8 U.S.C. § 1227.

39. Since Petitioner did not trigger a basis for deportation under section 1227, the removal proceedings currently commenced against him are invalid. Petitioner's U nonimmigrant status remains valid. The validity of Petitioner's status is automatically extended by timely filing an application for adjustment of status while he awaits a decision on his application. 8 U.S.C. § 1184(p)(6). Although USCIS issued a denial of his application for adjustment of status, Petitioner's timely appeal ensures that the decision is not final until the appeal has been resolved, and his application remains pending and his status valid at this time. 8 C.F.R. § 245.24(f)(2). And Petitioner has no criminal history that would subject him to any ground of removal. Because there have been no meaningful changes in Petitioner's status or his removability since his admission into U nonimmigrant status, his detention cannot be justified by 1226(a).

40. ICE's complete failure to verify whether the individuals it detains are in lawful status flies in the face of the immigration laws, constitutional due process principles, and decades of policy specifically geared toward protecting survivors of serious crime and human trafficking. *See Imm. Women & Children v. Kristi*, 2:25-cv-09848 (C.D. Cal.) (class certification pending) (challenging the sudden policy expanding enforcement, including detention, of survivors of serious crimes and trafficking with little to no justification).

41. Detention and the invasion of noncitizen liberty may not be at the whim of the Respondents or merely part of the process of deciding adjustment of status applications when no grounds for removal are at play.

CLAIMS FOR RELIEF

CLAIM I

Violation of the INA

42. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein.

43. No statute in the INA justifies Petitioner's detention as none of the three sections authorizing detention apply to Petitioner. He does not have a final order of removal and thus cannot be detained under 8 U.S.C. § 1231. He is not an arriving alien nor is he seeking admission as contemplated in the expedited removal scheme, and thus 8 U.S.C. § 1225 does not authorize his detention. And 8 U.S.C. § 1226 also does not justify his detention, as Petitioner was detained without a warrant of arrest, and removal proceedings should not apply to him as a noncitizen with lawful immigration status and no applicable grounds of removal.

44. His detention is therefore contrary to law and a violation of the INA.

CLAIM II

Violation of Fifth Amendment Right to Due Process

45. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein

46. The U.S. Constitution establishes due process rights for "all 'persons' within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

47. The Government's detention of Petitioner is unjustified. The Government has not demonstrated that Petitioner—who has limited criminal history, has close ties in the community, and has an adjustment of status to permanent residency application pending based on his valid U nonimmigrant status—needs to be detained. *See Zadvydas*, 533 U.S. at 690 (finding immigration detention must further the twin goals of (1) ensuring the noncitizen's appearance during removal proceedings and (2) preventing danger to the community).

48. Substantive due process requires that there be a reasonable relation between an individual's detention and the government's purported interests in that detention. *See Jackson v. Indiana*, 406 U.S. 715, 738 (1972). With immigration detention, the Supreme Court has acknowledged that the government's interests are limited to (1) preventing flight risk, so a person can go through removal proceedings *and ultimately be removed*, or (2) otherwise ensuring the safety of the community. *Zadvydas*, 533 U.S. at 690-91. "[B]y definition, the first justification—preventing flight—is weak or nonexistent where removal seems a remote possibility at best." *Id.* at 690; *see also id.* ("[W]here detention's goal is no longer practically attainable, detention no longer 'bear[s] [a] reasonable relation to the purpose for which the individual [was] committed.'") (citation omitted); *cf. Phan v. Reno*, 52 F. Supp. 2d 1149, 1156 (W.D. Wash. 1999) ("Detention by the INS can be lawful only in aid of deportation."). The second justification, in turn, is only permissible "when limited to specially dangerous individuals and subject to strong procedural protections." *Id.* at 691.

49. Here, no rationale can justify Petitioner's detention. His valid U nonimmigrant status means *he cannot be removed* without the Government proving that he has triggered a ground of removability. As such, his detention serves no ultimate purpose.

50. Additionally, Petitioner is neither a danger nor a flight risk and his detention is arbitrary on its face. There is no credible argument that Petitioner cannot be safely released back to his community. He has faithfully complied with every condition of his U nonimmigrant status for years without incident, timely filed for adjustment of status to lawful permanent residency, and timely filed an appeal of the denial of his application. No change in circumstances exists to warrant his detention while in lawful status and without any grounds of removability applicable to him.

51. Petitioner's detention has been unaccompanied by the procedural protections that such a significant deprivation of liberty requires under the Due Process Clause of the Fifth Amendment to the U.S. Constitution and therefore her continued detention is unlawful.

CLAIM III

Outright Release, or in the alternative, Bail Pending Adjudication

52. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein.

53. Petitioner was arrested without a warrant unjustified by 8 U.S.C. § 1357(a)(2) because there was no reasonable belief that he was present in violation of the immigration laws and likely to escape before a warrant could be obtained. This fact alone warrants Petitioner's immediate release in Minnesota.

54. More broadly, individuals with lawful immigration status have a due process expectation of not being arbitrarily detained. The crux of the procedural due process claim is that Petitioner's lawful status gives him a particularly strong liberty interest, and the Government cannot take that away without meaningful process—which it has never provided. The Government does not contest this. Release is the appropriate remedy for this due process violation. This is because Petitioner's liberty interest is such that he should have been provided process *before* the government detained him in the first place. *See Cleveland Bd. of Educ. v. Loudermill,* 470 U.S. 532, 542 (1985) ("'[T]he root requirement' of the Due Process Clause" is "'that an individual be given an opportunity for a hearing *before* he is deprived of any significant protected interest.'") (quoting *Boddie v. Connecticut,* 401 U.S. 371, 379 (1971)); *Zinermon v. Burch*, 494 U.S. 113, 127 (1990) ("Applying [the *Mathews*] test, the Court usually has held that the Constitution requires some kind of a hearing *before* the State deprives a person of liberty ...."); *Morrissey v. Brewer*, 408 U.S. 471, 480–86 (1972) (holding this in the context of re-detention of individuals released

from criminal custody on parole); *Gagnon v. Scarpelli*, 411 U.S. 778, 782 (1973) (same for individuals subject to revocation of probation). Because Petitioner was not lawfully detained, the proper remedy is to release him rather than to give a bond hearing.

55. Ordering an immigration court to conduct a bond hearing in this case would only unnecessarily prolong Petitioner's already unreasonable detention. In many cases, noncitizens granted bond by immigration judges are faced with (a) a prohibitively high bond, or (b) an unconstitutional automatic stay of the decision under 8 C.F.R. § 1003.19(i)(2)—rendering this relief hollow. So, to return Petitioner to the status quo ante, the Court must order his release and ensure that he is not again deprived of his liberty without meaningful pre-deprivation process. *See, e.g., Victor G. v. Lyons*, 26-CV-119 (ECT/SGE), 2026 WL 127733, at *3 (D. Minn. Jan. 17, 2026) (considering both remedies and granting immediate release to U-Visa petitioner with a bona fide determination and employment authorization because USCIS had already determined he was not a risk to national security or public safety).

56. Although Petitioner argues that outright release is the appropriate remedy in this action, in the alternative, the Court should grant bail pending adjudication.

57. This Court has the "inherent authority" to grant bail to habeas petitioners like Mr. Ortiz Cedillo. *See Mapp v. Reno*, 241 F.3d 221, 230–31 (2d Cir. 2001) (holding that federal courts have inherent authority to set bail pending the adjudication of a habeas petition when the petition has raised substantial claims and extraordinary circumstances "make the grant of bail necessary to make the habeas remedy effective"). In considering a petitioner's fitness for bail, courts assess (1) "whether the petition raises substantial claims" and (2) "whether extraordinary circumstances exist that make the grant of bail necessary to make the remedy effective." *Elkimya v. Dep't of Homeland Sec.*, 484 F.3d 151, 154 (2d Cir. 2007).

58. This Petition raises numerous substantial constitutional and statutory claims challenging Petitioner's unlawful detention. As for the second factor, extraordinary circumstances exist here that make Petitioner's release necessary to make the remedy effective. Petitioner has been fully compliant with all the terms of his nonimmigrant status and timely filed for adjustment of status, granting him an automatic extension of the validity of his status past its expiration date. 8 USC § 1184(p)(6). Nothing in his circumstances have changed to warrant his detention—he remains in lawful status and has no criminal history after his admission into U nonimmigrant status.

59. Petitioner has established substantial claims, and he has also demonstrated extraordinary circumstances thereby making him eligible for bail.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

1) Assume jurisdiction over this matter;
2) Order Respondents to show cause why the writ should not be granted within three days, and set a hearing on this Petition within five days of the return, as required by 28 U.S.C. § 2243;
3) Issue an Order stating that if Petitioner has already been removed from Minnesota, Respondents are required to immediately return Petitioner to Minnesota. *See* Order, Case No. 26-CV-0211 (PSJ/SGE), ECF No. 4 (D. Minn.) (filed Jan. 15, 2026) (Chief Judge Patrick J. Schiltz stating "[i]f petitioner has already been removed from Minnesota, respondents are ORDERED to immediately return petitioner to Minnesota.")
4) Enjoin Respondents from removing Petitioner from the United States pending these proceedings;
5) Require Respondents to permit Petitioner to contact his attorneys and vice versa throughout these proceedings;

6) Require Respondents to disclose the location of Petitioner to his attorneys at all times during these proceedings;
7) Declare that Respondents' actions to arrest and detain Petitioner violate the Immigration and Nationality Act (INA);
8) Declare that Respondents' actions to arrest and detain Petitioner violate the Due Process Clause of the Fifth Amendment;
9) Order the immediate release of Petitioner pending these proceedings;
10) Order Respondents to release Petitioner in Minnesota, providing for any such transportation as is necessary to facilitate such release;
11) Order Respondents to, at the time they release Petitioner, to return to Petitioner all personal property in the possession of Respondents and in the possession of individuals under Respondents' control, including but not limited to Petitioner's identification documents and work permit.
12) Issue an Order prohibiting Respondents from re-detaining Petitioner without a pre-deprivation hearing before this Court where the government bears the burden of justifying re-detention by clear and convincing evidence;
13) Award reasonable attorneys' fees and costs for this action; and
14) Grant such further relief as the Court deems just and proper.

Dated: February 7, 2026

Respectfully submitted,

By: /s/ *Camila Pacheco-Fores*

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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I am submitting this verification on behalf of Petitioner because I am Petitioner's attorney. I and other staff at my law firm have discussed the factual assertions in this petition with Petitioner's family and partner, who are also acting on Petitioner's behalf and who I understand to have personal knowledge of the facts alleged herein. I hereby verify that the statements made in the attached Petition for Writ of Habeas Corpus, including the statements regarding Petitioner's detention status, are true and correct to the best of my knowledge

Dated: February 7, 2026

By: *<u>/s/Camila Pacheco-Fores</u>*
Camila Pacheco-Fores, ID No. 0402597