IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Segundo Guillermo Ruiz-Coronel, *Petitioner*,	)	Civil No. 0:26-cv-01914-JMB-SGE
v.	)	
Joel Brott, et al. *Respondents.*	)	**PETITIONER'S REPLY TO FEDERAL RESPONDENTS' RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS**

Comes Now, Petitioner, Segundo Guillermo Ruiz-Coronel ("Mr. Ruiz-Coronel") and respectfully submits his Reply to the Federal Government Respondents' Response to Petition for Writ of Habeas Corpus.

INTRODUCTION

Petitioner was arrested and detained by the U.S. Immigration and Customs Enforcement ("ICE") during a routine biometrics appointment, which was required in furtherance of his U nonimmigrant derivative application (Form I-918A) which is pending with USCIS.

Respondents' background section, though accurate, fails to denote that Petitioner's removal order was *in absentia*, and *after* his motion for a change of venue was denied. *See* Respondents' Doc. 6-1. Upon information and belief, Petitioner reports that he discovered his removal order after his appeal period had lapsed – thus minimizing, if not completely negating, his opportunity for appeal. Respondents imply that to challenge the 2019 removal order, Petitioner ought to file a Motion to Reopen with the immigration court. Importantly, suggesting a Motion to Reopen a removal order fails to address the manner in which Respondents targeted and detained Petitioner. Furthermore, there are many factors that the immigration Courts take into account before even considering a Motion to Reopen, including if there is pending relief available ***with*** the Court. *See* 8 U.S.C. § 1229a(b)(5)(C)(i), (ii).

Even if the Court finds the suggestion to Filing a Motion to Reopen with the San Antonio Immigration Court reasonable, Petitioner requests the Court to consider that such a motion is a more burdensome task, especially from detention, when the motion would require him to gather evidence from 2019, which would relate to his interactions with his then attorney, whom, upon reason and belief, Petitioner is not in contact with at this time, in addition to a copy of his record of proceedings. In addition to the evidence-gathering hurdle Petitioner could face, he would also need to make the motion in the San Antonio Immigration Court and prove to the Court's satisfaction that his failure to appear was because of exceptional circumstances. *See* 8 C.F.R. § 1003.23(b)(4)(ii). Moreover, pursuant to 8 C.F.R. § 1003.23(b)(4)(ii), whether successful or not, Petitioner "may file only one motion pursuant to [this paragraph of the code]." *See* 8 C.F.R. § 1003.23(b)(4)(ii).

Petitioner hereby addresses each component of Respondents' response in turn.

ARGUMENT

I. U Nonimmigrant Visa Background and Enforcement

1. Mr. Ruiz-Coronel's detention appears to have been coordinated by virtue of the information contained in his pending and confidential U visa application with USCIS, culminating into a prompt and pre-coordinated detention at a required and routine biometrics appointment, through no prior knowledge of Mr. Ruiz-Coronel.
2. This detention goes against the policy of providing protection and relief to vulnerable individuals and their family members who provide valuable information to authorities in

efforts to resolve qualifying criminal acts to help make the community safer.[1]

3. Please also refer to Exhibit S at ¶¶ 70-81 for a summary of the history of Respondents' enforcement policies pertaining in part to U visa applicants.

4. In late January 2026, Tom Homan – United States Border Czar – acknowledged through a memorandum that "[ICE] is moving to targeted enforcement of aliens with a criminal history" and "This includes arrests, not just convictions. ALL TARGETS MUST HAVE A CRIMINAL NEXUS." *See* Exhibit O, available at https://cbsaustin.com/news/nation-world/border-czar-tom-homan-to-speak-in-minneapolis-after-dhs-homeland-security-shake-up-and-ice-enforcement-overhaul-immigration-crackdown-border-patrol-greg-bovino-pretti-shooting.

5. The above policy announcement, further and clearly suggests that the use of department resources will focus on detaining individuals who are a public safety threat – such as criminals (which Mr. Ruiz-Coronel is not) – rather than pre-coordinating the arrest of noncitizens who are in the midst of applying for immigration relief based on their status as a *victim* of criminal activity or qualifying relative of one. In spite of these public directives, Respondents were not just out there generally "looking," but were indeed targeting Petitioner in spite of his pending relief and no criminal nexus.

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[1] For a comprehensive and detailed summary of the history, purpose and policy of U visas, please refer to Exhibit S at ¶¶ 39-48, which Petitioner incorporates herein. For a summary of U visa eligibility, how they are adjudicated and the benefits provided to the applicant, please refer to Exhibit S at ¶¶ 49-52, which Petitioner incorporates herein. It is important to note, as is also outlined in Exhibit S at ¶¶ 52-59, that U-Nonimmigrant applicants, as part of the U visa process, are also up for consideration of deferred action and a work permit, through a Bona Fide Determination process. *See* Exhibit P. Deferred action is generally defined as: "…a form of prosecutorial discretion that is used to **defer removal action** against an individual for a certain period of time." *See* Exhibit Q (emphasis added). In order to make that finding, USCIS must first determine whether or not the application is made in "good faith; without fraud or deceit". *See* Exhibit P. Additionally, it has to be determined that the applicant does not pose a risk to national security or public safety, in addition to other relevant discretionary factors. *Id.*

6. Petitioner reiterates that while Mr. Ruiz-Coronel's I-918A and I-192 petitions are pending, USCIS may issue a Bona Fide Determination on his case, making him eligible for deferred action, and thereby should not be under the risk of foreseeable deportation, should Respondents abide by this designation. *See* Exhibits P-R.

7. Petitioner also reiterates footnote 4 of his original Petition, which, in furtherance of meeting his burden to demonstrate no significant likelihood of his removal in the reasonably foreseeable future (should he receive a Bona Fide Determination and should it be abided by Respondents), states:

> It is important to note that U Visa applications also allow for the discretionary waiver of a prior deportation order, amongst other immigration inadmissabilities, pursuant to Form I-192, Application for Advance Permission to Enter as a Nonimmigrant. See also INA 212(a)(9)(A). Those that are in the United States that have an approved Form I-192 (if required) in addition to I-918 or I-918A Forms are not required to consular process unless they depart or have departed the United States, hence the name "Form I-192, **Advanced** Permission to enter as Non-Immigrant. *See* Petition at ¶ 45.

II. Respondents Fail to Address Mr. Ruiz-Coronel's Argument Under 8 U.S.C. § 1367

8. Respondents emphasize that Mr. Ruiz-Coronel is detained under 8 U.S.C. § 1231, which Petitioner straightforwardly admitted in the initial Petition. *See* Petition at ¶ 29. In highlighting that Petitioner is subject to the mandatory detention period under the statute, Respondents implicitly argue that Petitioner's detention is lawful. However, Petitioner's argument is that his arrest was based on the sharing of confidential information pursuant to 8 U.S.C. § 1367 for no legitimate purpose and that the enforcement actions were arbitrary and capricious. *See* Petition at ¶¶ 4,16, 32, 37, 57, 66, 72.

9. While it may be true that ICE generally has authority to detain a person with a prior deportation order, Respondents' method of enforcement appears to have stemmed from

acquiring confidential protected information through a humanitarian benefit for no legitimate purpose. *See* 8 U.S.C. § 1367. It is also contrary to the purpose and policy of the U-Nonimmigrant status program and against the almost two-decade history of Respondents' removal enforcement policies as to U visa applicants. As mentioned in Petitioner's original filing, the information then acquired through the virtue of Petitioner seeking immigration protection was not used for "legitimate" purposes as Petitioner was not first given the opportunity to obtain a Bona Fide Determination. Furthermore, Petitioner has no criminal history or nexus such as an arrest or conviction or other aggravating factors. Had Mr. Ruiz-Coronel been provided the opportunity to apply for and receive a Bona Fide Determination, he could be placed in deferred action, or low priority for removal. Additionally, his arbitrary detention and placement in removal proceedings before he obtained the chance to get a waiver approved – which in turn would forgive his removal order – without more, is problematic.

10. Respondents file Doc. 8-3 as evidence that the arrest was indeed completed through an I-200 administrative warrant. This warrant was issued and signed on March 13, 2026, three days in advance of Petitioner's biometrics appointment and sequential arrest, which further supports Petitioner's argument that this was a pre-coordinated arrest through acquiring of confidential information. It is difficult to conceive how Respondents knew three days in advance of their ability to catch Petitioner and where to catch Petitioner had they not been tipped off by someone within their department.

11. Under 8 U.S.C. § 1367, employees of the Department of Homeland Security ("DHS"), "including any bureau or agency" within DHS, may not "permit use by or disclosure to anyone [...] of any information which relates to an alien who is the beneficiary of an

application for relief under [8 U.S.C. § 1101(a)(15)(U)]" – which establishes the process for U nonimmigrant visas by statute. 8 U.S.C. § 1367 does allow disclosure of information by the "agency thereof" -- meaning within DHS – *only* "for legitimate [...] agency purposes." *See* 8 U.S.C. § 1367(a)(2).

12. In their response, Respondents fail to cite a legitimate purpose which would authorize the disclosure of Petitioner's confidential U visa derivative application information – including the date, time, and location of his biometrics appointment – from USCIS to ICE to arrest him at an otherwise routine biometrics appointment before the Department of Homeland Security made a Bona Fide Determination. Such determination would create a finding of deferred removal enforcement action, in addition to the fact that his deportation is waivable (i.e. forgiven) upon an approval of a waiver, Form I-192. *See* Exhibit N. Said waiver is still pending. *See* Exhibit I.

13. Petitioner reiterates that no legitimate or national security-based purpose exists, seeing as he has no criminal record and this order of removal has not been enforced for over six years.

14. Given the date it was issued, Petitioner respectfully asks this Court to look to the I-200 administrative warrant as evidence of Respondents' pre-coordinated effort to use Petitioner's confidential U visa derivative application information to arrest him without a legitimate interest and/or in furtherance of national security interests, in violation of 8 U.S.C. § 1367. Not only is this breach of confidentiality punitive, but it blatantly disregards the compelling policy reasons for existence of U nonimmigrant application and ignores the policy history of removal enforcement against U visa applicants.

III. Respondents Address *Zadvydas* Argument in Lieu of Providing a Substantive Response to the Arguments Made by Petitioner

15. Respondents assert that there is no Due Process violation, because Petitioner has been subject to only four days of detention (at the time of Respondents' response). Therefore, they argue that under *Zadvydas* precedent, Mr. Ruiz-Coronel's habeas petition is not ripe for consideration.

16. Moreover, Respondents claim that "a habeas petitioner must meet the initial burden of demonstrating no significant likelihood of his removal in the reasonably foreseeable future" before the burden is shifted to the government to rebut. *See* Doc. 8 at 6.

17. Petitioner hereby references paragraphs 6 and 7 in this Reply.

IV. Respondents Fail to Address Petitioner's Argument that Respondents Violated the Administrative Procedure Act

18. As previously stated, the application of re-instatement of Mr. Ruiz-Coronel's removal pursuant to 8 U.S.C. § 1231(a)(5) and 8 C.F.R. § 241 – more than six years after his order of removal was entered, with no criminal record of Petitioner, with a waivable (forgivable) removal order through a pending Form I-192, and only after Mr. Ruiz-Coronel provided his information as part of his U Nonimmigrant derivative visa application, which led to his detention when he was attending a routine biometrics appointment at USCIS – is arbitrary, capricious, and not in accordance with law, and as such, it violates the APA. *See* 5 U.S.C. § 706(2).

19. Moreover, by arresting Mr. Ruiz-Coronel at his biometrics appointment, ICE unilaterally denied Mr. Ruiz-Coronel the equal opportunity to be considered for a Bona Fide Determination prior to enforcing this removal against him. It is of note that Respondents incorrectly indicate in Doc. 8-2, page 2, that Mr. Ruiz-Coronel "came to the attention of" ICE, "**subsequent** to an appeared for an [sic.] appointment with the United Stated [sic.] Citizenship and Immigration Service (USCIS) at 250 Marquette Avenue, Minneapolis,

MN 55401. **USCIS Denied Ruiz-Coronel's I-130 application**." [2]*See* Doc. 8-2 at 2 (emphasis added).

20. In short, inaccurately communicating the location of the biometrics appointment, the I-213 that Respondents submit to evidence also misrepresents the circumstances under which Mr. Ruiz-Coronel was arrested.

21. Mr. Ruiz-Coronel did not "come to the attention of" ICE "subsequent" to an appointment (i.e. interview) where his I-130 was denied. Rather, the I-200 administrative warrant is clearly signed on March 13, 2026, three days prior to Mr. Ruiz-Coronel's appointment with USCIS.

22. Further, Petitioner's appointment with USCIS was not related to an I-130 application at all, rather it was a biometrics appointment for his pending U visa application. Even if the "I-130" wording of the report was changed to "U nonimmigrant visa," the report would still be misleading as it suggests that USCIS first considered and denied the application before enforcement was made. On the contrary, USCIS has not yet adjudicated Mr. Ruiz-Coronel's Bona Fide Determination or application and no such adjudication could have been issued at a simple biometrics appointment on March 16, 2026. *See* Exhibit P.

23. Finally, Petitioner would like to highlight Respondents' historical policies for removal enforcement from 2007 to present for U visa applicants, as outlined in Exhibit S at paragraphs 50 through 81.

24. Respondents' actions in this matter appear to reverse course from decades of agency practice, under which enforcement operations were restrained against survivors of serious

[2] I-130 application likely refers to Form I-130, Petition for Alien Relative. It is generally a family-based immigration form where a lawful permanent resident or U.S. Citizen relative can petition for another relative for a potential green card. This is not the case for Petitioner. His only pending relief at this time is Form I-918A, for U Non-immigrant status based on marriage to a victim of qualifying criminal activity. *See* Exhibit T.

crime and their qualifying relatives, absent adverse circumstances which are not present in Mr. Ruiz-Coronel's case. *See* Exhibit S at ¶¶ 82-90; Doc. 8-2 at 3.

25. Respondents fail to provide a reasoned explanation for their s pursuant to the above and baspurporting to override almost two decades of established enforcement policy pertaining to U visa applicants. Thus, the actions are a violation of the Administrative Procedures Act and Mr. Ruiz-Coronel's detention is unlawful. *See Dep't of Homeland Sec. v. Regents of the Univ. Of California*, 591 U.S. 1, 21 (2020) (finding that rescinding the Policy Memorandum which established the DACA program violated the Administrative Procedures Act because the rescission was arbitrary and capricious because it failed to articulate any reason for the termination).[3]

26. Respondents' arrest and unilateral deprivation of Mr. Ruiz-Coronel's right to USCIS's adjudication of his applications for relief is arbitrary, capricious, and not in accordance with law, and as such, it violates the APA. *See* 5 U.S.C. § 706(2); Exhibit P-R.

[3] This argument also applies if Petitioner's detention and/or any subsequent enforcement memorandum is pursuant to a singular sentence from the Executive Order issued on January 20, 2025, stating that United States policy is "to achieve the total and efficient enforcement of [immigration] laws." *See* Exhibit S at ¶¶ 70-81. Furthermore, "[A]gency action must be based on non-arbitrary, relevant factors, which [regarding immigration agencies] [...] must be tied, even if loosely, to the purposes of the immigration laws or the appropriate operations of the immigration system." *See Judulang v. Holder*, 565 U.S. 42, 55 (2011) (internal quotations and citations omitted).

CONCLUSION

Based on the foregoing, the Court should grant the Writ of Habeas Corpus.

THE LAW OFFICE OF IRIS RAMOS LLC

Dated: March 24, 2026

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

I represent Petitioner, Segundo Guillermo Ruiz-Coronel, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 24th day of March 2026.

s/Iris Ramos Nieves
Iris Ramos Nieves, #MN 0392421