UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Anthony Javier RIOS MORENO,

Petitioner,

v.

Todd Blanche, Acting Attorney General,

Markwayne Mullin, Secretary, U.S. Department of Homeland Security,

Department of Homeland Security,

Todd M. Lyons, Acting Director of Immigration and Customs Enforcement,

Immigration and Customs Enforcement, and

David Easterwood, Acting Director, St. Paul Field Office, Immigration and Customs Enforcement,

and

Joel Brott, Sherburne County Sheriff,

Respondents.

0:26-cv-02283-LMP-DLM

PETITIONER'S REPLY TO RESPONDENTS' RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

Respondents' objections cannot sway the Court. Respondent is not subject to mandatory custody due to his UAC status and deferred action under SIJS. Even if 8 U.S.C. § 1225(b)(2) did apply, this Court should rule consistently with its previous determinations in this District and its sister districts that have found due process violations for noncitizens detained under § 1225(b)(2). A detention statute does not strip Petitioner of his constitutional due process rights. The *Mathews* factors weigh in Petitioner's favor. The Court should grant the requested relief and order Petitioner's immediate release.

ARGUMENT

I. Respondents Fail to Properly Represent the Effect of Petitioner's Initial UAC Designation.

Respondents fail to address Petitioner's UAC designation, which further bolsters the inapplicability of mandatory detention in this case.

When Petitioner was encountered in 2022, he was an unaccompanied alien child ("UAC") as defined at 6 U.S.C. § 279(g)(2). "The custody of unaccompanied alien children … who are apprehended at the border of the United States or at a United States port of entry shall be treated in accordance with subsection (b)." 8 U.S.C. § 1232(a)(3). Pursuant to that provision, "the care and custody of all unaccompanied alien children, including responsibility for their detention, where

appropriate, shall be the responsibility of the Secretary of Health and Human Services." 8 U.S.C. § 1232(b)(1).

Once Health and Human Services ("HHS") takes custody of the child, that "child shall not be placed in a secure facility absent a determination that the child poses a danger to self or others or has been charged with having committed a criminal offense." 8 U.S.C. § 1232(c)(2)(A). Furthermore, UACs "shall be promptly placed in the least restrictive setting that is in the best interest of the child." 8 U.S.C. § 1232(c)(2)(A). The programs afforded under section 412(d) include "foster care maintenance," 8 U.S.C. § 1522(d)(2)(A), and the statute points to placement with a family member, 8 U.S.C. § 1232(c)(2)(A). It could not be clearer that the statutes contemplate release from physical custody, bringing UACs out of the ambit of 8 U.S.C. § 1225(b)(2). Like other UACs, Petitioner was never subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A).

Respondent was a UAC when he was initially placed in HHS custody in 2022, so 8 U.S.C. § 1225(b)(2) plainly did not apply at the time of entry and initial contact.[1] Furthermore, the transitional provisions make it clear that Petitioner did not revert to custody under 8 U.S.C. 1225(b)(2) upon reaching his eighteenth birthday. Instead,

[1] Respondents' contend that in 2023 they released Petitioner from their custody on an OREC, however their own exhibits show the contrary. *See* ECF Doc. 5, at 2. Respondents' released Petitioner on an ORR as he was 16 years old at the time and Respondents had correctly deemed him a UAC. *See* ECF Doc. 6-2, at 6.

> If a minor described in subparagraph (A) reaches 18 years of age and is transferred to the custody of the Secretary of Homeland Security, the Secretary shall consider placement in the least restrictive setting available after taking into account the alien's danger to self, danger to the community, and risk of flight. Such aliens shall be eligible to participate in alternative to detention programs, utilizing a continuum of alternatives based on the alien's need for supervision, which may include placement of the alien with an individual or an organizational sponsor, or in a supervised group home.

8 U.S.C. § 1232(c)(3) (emphasis added). Prolonged detention in an adult penal institution facially violates this mandate. Clearly, mandatory detention does not apply to UACs, like Petitioner, who age out. In fact, they are to be placed in the least restrictive setting. i.e. not detention, unless DHS shows that they pose a danger to themselves or the community, or they pose a flight risk.

II. Respondents Fail to Properly Represent Petitioner's Relief and Respond to Parole.

Additionally, Petitioner was granted Special Immigrant Juvenile Status (SIJS) with Deferred Action.[2] Respondents terminated Petitioner's Deferred Action on April 28, 2026, the day their response was due to this Court. Petitioner received notice of this termination yesterday. Respondents correctly assert that an SIJ classification may be revoked under the provisions of 8 C.F.R. § 204.11(j)(1) and "on notice 'for good and sufficient cause' in compliance with 8 C.F.R. § 205.2." *See*

[2] Petitioner has never filed an application for TVPRA. However, his petition for SIJS was approved on March 26, 2025. *See* Petitioner's Exh. B.

ECF Doc. 5, at 4. However, these regulations are not applicable here as they refer to the revocation of the approved petition itself. If Respondents do assert that the above-mentioned regulations apply to termination of Deferred Action, 8 C.F.R. § 205.2 requires notice of both the intent to revoke as well as the revocation itself. Following the notice of intent, Petitioner "must be given the opportunity to offer evidence in support of the petitioner or self-petition and in opposition to the grounds alleged for revocation of the approval." *See* 8 C.F.R. § 205.2(b). That opportunity was not provided here.

Respondents failed to address Petitioner's approved SIJS petition any further than the revocation of his Deferred Action. Particularly, Respondents failed to address that adjudication of Petitioner's SIJS petition deemed him paroled into the United States, thus waiving any challenge to the argument. *See* 8 C.F.R. § 245.1(a); *Estephanny v. Bondi*, No. 26-cv-198 (ECT/JFD), 2026 WL 115067, at *1 (D. Minn. Jan. 15, 2026) (citing *Doe v. Mayorkas*, No. 22-cv-752 (ECT/DTS), 2022 WL 4450272, at *2 (D. Minn. Sep. 23, 2022) (concluding that failure to respond is an express waiver of those arguments or claims). *See also Axel J.M.C. v. Stanski et al.*, No. CV 26-2281 (JRT/EMB), 2026 WL 1171344, at *3 (D. Minn. Apr. 29, 2026) ("This specialized status, when considered alongside Petitioner's lack of criminal history, is an additional reason that *Banyee* is distinguishable.").

IV. Respondents Are Violating Petitioner's Due Process Rights.

Respondents claim that Petitioner is not challenging both procedural and substantive due process, ECF. No. 5, at 5, but this is not true. *See* ECF No. 1, at 36-37. Respondents next argue that "Petitioner does not purport to identify any fundamental right," ECF. No. 5, at 5, to suggest that he cannot raise a due process challenge. This is simply not an accurate characterization of the petition. As Petitioner clearly noted, "the interest in being free from physical detention by one's own government" is "the most elemental of liberty interests." ECF no. 1 ¶ 116 (citing *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004). If that were not clear enough, "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). There is a fundamental right at issue here. As such, Respondents must provide some process to ensure that Petitioner is not deprived of that right arbitrarily.

Respondents look to *Demore v. Kim* to justify mandatory detention without due process. 538 U.S. 510 (2003). However, in *Demore*, the Court held that "[d]etention during removal proceedings is a constitutionally permissible part of that process," 538 U.S. at 531, but also added that "the Fifth Amendment entitles aliens to due process of law in deportation proceedings." *Demore*, 538 U.S. at 523. As such, *Demore* does not divorce immigration detention from the basic requirements of due

process. Instead, it simply permits a "brief period" of detention for "criminal aliens" meeting the requirements set out in 8 U.S.C. § 1226(c). *See* 538 U.S. 515, 523. Petitioner does not fall into any analogous statutory criminal alien designation, so *Demore* does not eliminate his substantive liberty interest here.

The predicate criminal convictions necessary to trigger the mandatory detention provision at issue in *Demore* and *Banyee v. Garland*, 115 F.4th 928 (8th Cir. 2024) – that is 8 U.S.C. § 1226(c) – mark the critical difference between the sort of mandatory detention that comports with the strictures of due process and the unconstitutional mandatory detention of non-criminal aliens without any process whatsoever. In *Demore*, the Court was clear that mandatory detention was permissible where it was predicated on a prior criminal conviction "obtained following the full procedural protections our criminal justice system offers," 538 U.S. 510, 513 (2003), and *Demore* was the primary precedent relied upon by the Eighth Circuit in *Banyee*, 115 F.4th at 931. Thus, in upholding mandatory detention of criminal aliens, the Court relied upon the process that was provided to non-citizens in challenging their criminal convictions.

In contrast, Respondents' proposed application of 8 U.S.C. § 1225(b)(2)(A) provides noncitizens with utterly no process by which to challenge the deprivation of their liberty at all. Given that "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty

that Clause protects." *Zadvydas*, 533 U.S. at 690, this is an obvious violation of the Constitutional guarantee that "[n]o person shall … be deprived of life, liberty, or property, without due process of law." U.S. Const. Amend. 5. No process is not due process.

Notably, this has also been the conclusion reached by several district courts in Minnesota. In *Juan Carlos R.R. v. Bondi et al.,* magistrate judge Fister identified this precise distinction, noting how "*Demore* and *Banyee* are radically different" because the "petitioners in both of those cases stood *convicted* of predicate crimes triggering mandatory detention under Section 1226(c)." No. 26-CV-1282 (MJD/DJF), 2026 WL 1045254, at *7 (D. Minn. Feb. 23, 2026). Judge Tunheim made a similar distinction in *Axel J.M.C.*, noting that "8 U.S.C. § 1226(c) … permits mandatory detention of certain 'criminal aliens,'" whereas "Respondents' purported basis for detention is § 1225(b)(2)(A), a different provision only recently interpreted by the Government to permit mandatory detention." 2026 WL 1171344, at *3. Finally, Judge Frank also differentiated *Banyee* based on the unique nature of the statute at issue there, which was 8 U.S.C. § 1226(c), not 8 U.S.C. § 1225(a)(2)(A). *See David J.C.P. v. Blanche et al.*, No. CV 26-2181 (DWF/ECW), 2026 WL 1102725, at *2 (D. Minn. Apr. 23, 2026).

Respondents next contend that "Congress decided as a substantive policy matter to impose mandatory detention on all applicants for admission, such as

Petitioner" and that "[w]hether Petitioner is a flight risk or danger is irrelevant under that policy choice." ECF. No. 5, at 7. They then suggest that this "congressional choice" somehow relieves the courts of measuring that mandatory detention policy against the requirements of the United States Constitution. That is obviously improper given that "Article VI of the Constitution makes the Constitution the 'supreme Law of the Land." *Cooper v. Aaron*, 358 U.S. 1, 18 (1958) (citing U.S. Const. art. 6). Respondents argue that 8 U.S.C. 1225(b)(2) "overrides constitutional guarantees. But statutes do not lower the constitutional bar." *Ismahan M. v. Bondi*, 0:26-cv-01418-NEB-DTS, ECF No. 10, at *6 (D. Minn. Feb. 20, 2026). Regardless of what the INA says, if the Fifth Amendment of the Constitution forbids Petitioner's dentition without some form of due process, then a writ must issue and Petitioner must be released or provided with a bond hearing in which Respondents bear the burden to justify his ongoing detention by clear and conviction evidence illustrating that he is either a flight risk or a danger to persons or property.

While it is true that the "Supreme Court has repeatedly distinguished between noncitizens who have been lawfully admitted and those who have not," the caselaw to which Respondents states merely that unadmitted noncitizens have "only those rights regarding admission that Congress has provided by statute." *DHS v. Thuraissigiam*, 591 U.S. 103, 105 (2020). The issue for Respondents is that the liberty interest at issue here is not the right to be admitted into the United States.

Respondents cite *Dep't of Homeland Sec. v. Thuraissigiam* for the proposition that Petitioner "possesses only those rights Congress has provided by statute.'" ECF No. 5, at 8 (citing 591 U.S. at 137-40), but the Court's holding in *Thuraissigiam* was that an "alien[ ] seeking initial entry" into the country "has only those rights *regarding admission* that Congress has provided by statute." 591 U.S. at 105 (emphasis added). Petitioner is not seeking "admission," which is "the lawful entry of the alien into the United States after inspection and authorization," 8 U.S.C. § 1101(a)(14)(A), through this vehicle. He has separate administrative proceedings for that. *See* ECF No. 6-2.

In this case, Petitioner seeks release from physical custody, or at a minimum, some means by which to challenge it. *See* ECF No. 1, at 38 ¶ 5. As the Supreme Court has recognized, there is a fundamental difference between "release from unlawful detention" on the one hand, and "obtain[ing] authorization to stay in this country," on the other. *Thuraissigiam*, 591 U.S. at 107 (2020) (emphasis in original). Petitioner recognizes that noncitizens have "only those rights regarding admission that Congress has provided by statute," *id.* at 140, but "admission" and "detention" are totally different things. Indeed that difference lay at the foundation of the Court's decisions in *Thuraissigiam*, 591 U.S. at 107 ("Respondent invokes the writ to achieve an entirely different end, namely …to obtain authorization to stay in this country") and *United States ex rel. Knauff v. Shaughnessy*, 338 U.S. 537, 543 (1950)

("the decision to admit or to exclude an alien may be lawfully placed with the President"). These cases stated that Congress sets the terms for admission. They did not authorize indiscriminate detention.

In contrast, the Supreme Court has unequivocally held that "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that Clause protects." *Zadvydas*, 533 U.S. at 690. See also Hamdi, 542 U.S. at 529 ("the interest in being free from physical detention by one's own government" is "the most elemental of liberty interests"). To suggest that some people in the United States lack this most basic of interests is to slip dangerously close to conditions that tilted 13 colonies into revolution.

Having established a substantive interest upon which to predicate the application of the test outlined in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976), the application of these factors clearly favors Petitioner.

> [D]ue process generally requires consideration of three distinct factors: First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

Mathews, 424 U.S. at 335.

First, as the Supreme Court has held, Petitioner's "'private interest ... affected by the official action,' is the most elemental of liberty interests—the interest in being free from physical detention by one's own government." *See Hamdi*, 542 U.S. at 529. Because this interest is so fundamental, the Supreme "Court repeatedly has recognized that civil commitment for any purpose constitutes a significant deprivation of liberty that requires due process protection." *Addington v. Texas*, 441 U.S. 418, 425 (1979). This case involves a civil detention, so it implicates due process.

Respondents argue that any interest that Petitioner has in "remain[ing] in the United States … is defined by statute." ECF No. 5, at 10. While that may be true, it has nothing to do with his interest in "being free from physical detention." *See Hamdi*, 542 U.S. at 529. As articulated, *supra*, this is a cognizable interest, and a weighty one. Its deprivation weighs in Petitioner's favor.

Second, the wholescale absence of process essentially guarantees the Constitutionally violative detention of noncitizens. Importantly, the Supreme Court has recognized two purposes for immigration detention: "(1) ensuring the presence of … aliens at their removal proceedings; and (2) protecting the public from dangerous criminal aliens." *Demore*, 538 U.S. at 515. *See also Zadvydas*, 533 U.S. 690 ("two regulatory goals: 'ensuring the appearance of aliens at future immigration proceedings' and '[p]reventing danger to the community.'"). Ultimately, "due

process requires that the nature and duration of commitment bear some reasonable relation to the purpose for which the individual is committed." *Jackson*, 406 U.S. at 738 (1972). By sweeping up everyone, regardless of the strength of their underlying immigration relief, their ties to the community, family, property or business interests, the mandatory detention of all unadmitted noncitizens guarantees that people who will not flee and pose no danger of fleeing will be detained. The same is true vis-à-vis the risk of danger to person or property. When the Executive detains a man who has never committed a crime in the same manner it deals with a convicted murderer, subjecting both to mandatory custody under conditions indistinguishable from criminal incarceration, the process has been completely unmoored from any basis in public safety. The wholescale lack of any process ensures that errors will occur, and people like Petitioner will be detained, despite the lack of any cognizable interest grounded in statutory purpose.

Part two's second prong, "the probable value, if any, of additional or substitute procedural safeguards," *Mathews*, 424 U.S. at 335, also favors a hearing. In a bond hearing, the immigration judge will be able to assess the precise factors articulated by the Supreme Court as providing a permissible basis for detention in immigration proceedings, that is "ensuring [Petitioner's] appearance … at future immigration proceedings" and "[p]reventing danger to the community." *Zadvydas*, 533 U.S. at 690. In assessing these concerns, immigration judges consider:

> (1) whether the alien has a fixed address in the United States; (2) the alien's length of residence in the United States; (3) the alien's family ties in the United States, and whether they may entitle the alien to reside permanently in the United States in the future; (4) the alien's employment history; (5) the alien's record of appearance in court; (6) the alien's criminal record, including the extensiveness of criminal activity, the recency of such activity, and the seriousness of the offenses; (7) the alien's history of immigration violations; (8) any attempts by the alien to flee prosecution or otherwise escape from authorities; and (9) the alien's manner of entry to the United States.

Matter of Guerra, 24 I. & N. Dec. 37, 40 (BIA 2006). Application of these factors ensures "that the nature and duration of commitment bear some reasonable relation to the purpose for which the individual is committed." Jackson, 406 U.S. at 738. As such, "it would greatly reduce the risk of an erroneous deprivation of [Petitioner's] liberty" and ensures the constitutionality of the detention. *Hernandez-Fernandez v. Lyons*, No. 5:25-CV-00773-JKP, 2025 WL 2976923, at *9 (W.D. Tex. Oct. 21, 2025). Thus, the second factor also favors the writ.

Respondents contend that "the risk of erroneous deprivation is low," ECF No. 5, at 10, but they base this contention on the assumption that mandatory detention is itself constitutionally permissible. This circular reasoning is even more questionable in light of Respondents' contention that "[p]rocedural safeguards, including habeas review under 28 U.S.C. § 2241 further reduce any residual risk," ECF No. 5, at 10, while contending that this habeas petition must be dismissed. Respondents cannot claim that habeas provides an adequate safeguard, while simultaneously decrying

the purported impropriety of habeas relief. Essentially, Respondents argue that because Congress purportedly mandated detention, any Constitutional concerns somehow evaporate. That obviously cannot be the case. Not even Congress can trump the Constitution.

Third, while "Respondents have an interest in ensuring that Petitioner appears for his removal hearings and poses no danger to the community, … such concerns … would be squarely addressed if the Court were to grant the petition and order a bond hearing." *Hernandez-Fernandez*, 2025 WL 2976923, at * 9. To be clear, Petitioner is not arguing that he cannot ever be detained. Even if this Court were to order Petitioner's immediate release, Respondents would be free to immediately hold a pre-detention hearing and, if his detention is justified, they could hold him, consistent with their authority under the Immigration and Nationality Act. Should the Court order a bond hearing, the Agency will have an opportunity to justify his ongoing detention. No one disputes that. All Petitioner is requesting is some process, really any process, at all, before he is stripped of his most basic liberty.

Moreover, "until recently, these bond hearings were afforded with regularity," so they pose no real burden on the government. *Pineda Parada v. Rice*, No. 25-CV-1660, 2025 WL 3146250, at *3 (W.D. La. Nov. 4, 2025). Indeed, for the past 29 years, [Petitioner] would have been entitled to a bond hearing during his removal proceedings." *Avila*, 170 F.4th at 1138 (J. Erickson, dissenting). These are brief

administrative hearings that rarely take longer than a half hour, during which all parties appear remotely. They pose a minimal burden on the government. The third factor also requires some sort of hearing.

Respondents claim that the purpose of ensuring Petitioner's appearance in removal proceedings justifies his mandatory detention. ECF. No. 5, at 10. But determining flight risk is precisely the purpose for a bond hearing. See *Matter of Guerra*, 24 I. & N. Dec. at 40. That interest is also served under Petitioner's reading. Respondents predicate the rest of their argument on the dangers of drunk driving, see ECF. No. 5, at 11, but Petitioner has never been arrested for, let alone convicted of, drunk driving. The government also has an interest in preventing all sorts of crime, but there is nothing to suggest Petitioner has ever been involved in drunk driving or any other criminality. This portion of the government's argument borders on absurd. Ultimately, all three *Mathews* factors favor release or, minimally, a bind hearing.

This Court should rule consistently with its previous determinations and its numerous sister districts that have found due process violations for noncitizens detained under 8 U.S.C. § 1225(b)(2). *See, e.g.*, *Ismahan M. v. Bondi*, 0:26-cv-01418-NEB-DTS, ECF No. 10 (D. Minn. Feb. 20, 2026) (ordering immediate release pursuant to previous Order of Release on Recognizance on due process grounds after previous habeas petition was dismissed on statutory interpretation

grounds); *Ihor D. v. Noem*, No. 26-CV-351 (JMB/DTS), 2026 WL 146507 (D. Minn. Jan. 20, 2026) (detention of parolee violated due process); *Barco Mercado v. Francis*, No. 25-CV-6582 (LAK), 2025 WL 3295903 (S.D.N.Y. Nov. 26, 2025); *Lopez-Arevelo v. Ripa*, 801 F. Supp. 3d 668 (W.D. Tex. 2025); *Hernandez-Fernandez v. Lyons*, No. 5:25-CV-00773-JKP, 2025 WL 2976923 (W.D. Tex. Oct. 21, 2025); *Vieira v. De Anda-Ybarra*, No. EP-25-CV-00432-DB, 2025 WL 2937880 (W.D. Tex. Oct. 16, 2025); *Camacho-Gutierrez v. Thompson et al.*, No. 5:25-CV-01876-MA, 2026 WL 195758 (W.D. Tex. Jan. 16, 2026); *Hassan v. Noem*, No. 26-CV-48 (W.D. Tex. Feb. 9, 2026), ECF No. 8, at 4, n.1; *Cumbe Lema v. De Anda-Ybarra*, 26-CV-249 (W.D. Tex. Feb. 9, 2026), ECF No. 7 at 2; *Parada-Hernandez v. Johnson*, No. 3:25-CV-2729-K-BN, 2025 WL 3463682 (N.D. Tex. Dec. 2, 2025); *George v. Noem*, No. 3:25-CV-02935-S-BW, 2026 WL 30829 (N.D. Tex. Jan. 5, 2026); *De La Cruz Salmeron v. Olson*, No. 4:25-CV-198-RGJ, 2026 WL 324486 (W.D. Ky. Feb. 6, 2026); *Hernandez-Parrilla v. De Anda-Ybarra*, No. 2:25-CV-01224-MIS-KK, 2025 WL 3632769 (D.N.M. Dec. 15, 2025); *Cuya-Priale v. Castro*, No. 2:25-CV-01166-KG-DLM, 2025 WL 3564145 (D.N.M. Dec. 12, 2025); *Guerra v. Noem*, No. 1:25-CV-1341, 2025 WL 3204289 (W.D. Mich. Nov. 17, 2025); *E.V. v. Raycraft*, No. 4:25-CV-2069, 2025 WL 3122837 (N.D. Ohio Nov. 7, 2025); *Azalyar v. Raycraft*, No. 1:25-CV-916, 2026 WL 30741 (S.D. Ohio Jan. 2, 2026); *Ochoa Ochoa v. Noem*, No. 25 CV 10865, 2025 WL 2938779 (N.D. Ill. Oct. 16,

2025); *Destino v. FCI Berlin, Warden*, No. 1:25-CV-374-SE-AJ, 2025 WL 4010424 (D.N.H. Dec. 24, 2025); *Serrano v. Albarran, et al.*, No. 25-CV-08408-EKL, 2025 WL 4110874 (N.D. Cal. Nov. 28, 2025).

CONCLUSION

For the reasons set forth, Petitioner's continued detention violates his due process rights, and the writ of habeas corpus must issue. Immediate release is the appropriate remedy. Petitioner also requests that all his personal effects seized during his arrest be returned to him upon his release.

Respectfully submitted,

/s/ David L. Wilson **May 5, 2026**
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CERTIFICATE OF SERVICE

I, **David Wilson**, hereby certify that on May 5, 2026, I electronically filed the foregoing with the Federal Court for the District of Minnesota by using the CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

Respectfully submitted,

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