

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Nabijon Niyozov

Petitioner,

v.

Markwayne Mullin, *et al.*,

Respondents.

Case No. 26-cv-2469-LMP-LIB

PETITIONER'S STATUS REPORT

This Court ordered the Petitioner to file a status report by June 29th by providing 1) Mr. Niyozov's current custody status and 2) the results of his June 26th criminal hearing. In response, Mr. Niyozov states the following through the attached affidavit of his criminal defense attorney, JaneAnne Murray:

- 1) Mr. Niyozov remains in county jail (currently Scott County Jail due to overcrowding at Hennepin County Jail), but Mr. Niyozov is under ICE custody. He is only in jail due to the ICE hold.
- 2) At his June 26th hearing, the county judge set a criminal trial date of July 27th, but according to Mr. Niyozov's defense attorney, it is unlikely that his hearing will go forward that day due to the county's block calendaring system. Even if the hearing goes forward on July 27th as planned, it is unlikely to complete until late August, at the earliest, due to the need for an interpreter and the vacation days of the state prosecutor.

Because Mr. Niyozov remains under ICE custody, he moves for this Court to order his immediate release. As soon as ICE releases Mr. Niyozov, he will be set free from county jail. Mr. Niyozov posted his county jail bail back in 2024, and he was at liberty when ICE detained him in April 2026. If this Court does not order his immediate release, he will be unlawfully jailed for at

least 30 more days until trial even starts and likely much longer while the criminal trial proceeds.

This is a problem of ICE's making. If Respondents had held a bond hearing when he was first detained, he would have already had his bond hearing by the time Hennepin County started his criminal trial. Forcing him to remain in unlawful custody for at least another 1 to 2 months without a bond hearing violates his constitutional rights. Mr. Niyozov has already been subjected to more than 2 months of unlawful detention without a bond hearing. If this Court does not order his immediate release, he will be unlawfully detained without a bond hearing for a minimum of 3-4 months.

Furthermore, his criminal defense attorney, JaneAnne Murray, worries that being in custody is impeding her ability to properly prepare him for criminal trial. It makes it more difficult for her to meet with him through an interpreter. She also worries that his innocence is prejudiced based on the fact that he must be transported to and from the jail for all hearings.

Mr. Niyozov moves for this Court to grant his Motion to Enforce and order his immediate release.

Dated: 06/28/2026

/s/ Jennifer Scarborough
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Certificate of Service

All parties were served through this Court's ECF system.

Dated: 06/28/2026

/s/ Jennifer Scarborough
Jennifer Scarborough