UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Keiner Enrique MARTINEZ RAMIREZ

Petitioner,

v.

David EASTERWOOD, Field Office Director of Enforcement and Removal Operations, St. Paul Field Office, Immigration and Customs Enforcement; **Markwayne MULLIN**, in his official capacity as Secretary of the U.S. Department of Homeland Security; **David J. VENTURELLA**, in his official capacity as acting director of U.S. Immigration and Customs Enforcement; **Todd BLANCHE**, in his official capacity as acting Attorney General of the United States; **Ryan SHEA**, Freeborn County Sheriff.

Respondents.

Case No. **0:26-cv-3299 (MJD/EMB)**

PETITIONER'S MEMORANDUM IN SUPPORT OF MOTION FOR EXPEDITED JUDGMENT

I. INTRODUCTION

Petitioner, by and through undersigned counsel, makes the instant motion for expedited ruling on his fully briefed Petition. Petitioner timely filed this Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on July 14, 2026. Briefing is complete. The Petition has been ripe for adjudication since

July 27, 2026. Despite the passage of over a month and a half since the filing of the Petition and over a month since all briefing has been completed, no ruling has been issued. In the interim, Petitioner remains detained, separated from his counsel and his community — unable to prepare adequately for his immigration proceedings and unable to access the relief he seeks.

Petitioner respectfully moves this Court, pursuant to 28 U.S.C. § 1657(a), and the Court's inherent authority, for an expedited the ruling on this fully-briefed Petition. Time is of the essence. Unlawful detention is an ongoing injury and while adjudication requires time, expeditious consideration is of utmost importance for habeas matters under 28 U.S.C. § 1241.

II. FACTS

Federal Respondents arrested Petitioner on or about June 26, 2026. ECF 1, ¶ 2. Federal Respondents' records confirm Petitioner was discretionarily paroled into the United States on April 9, 2024. ECF 6-2. Petitioner's most recent ICE check-in dated April 1, 2026. *Id.* Petitioner's parole expired on April 9, 2026. ECF 6-2. Federal Respondents allowed Petitioner to remain at liberty subsequent to expiry of parole. On June 26, 2026, Federal Respondents arrested Petitioner, solely on the basis of the lapse of parole. ECF 6-5. Petitioner's next hearing in immigration court is September 29, 2026. *See* ECF 8-3.

III. PROCEDURAL HISTORY

On June 14, 2026, Petitioner filed his Petition for Writ of Habeas Corpus with this Court. *See* ECF 1. Federal Respondents submitted their Response to the Petition on July 22, 2026. ECF 5. Petitioner submitted his Reply to Federal Respondents on July 27, 2026. ECF 7. No supplemental briefing has been ordered. Petitioner remains detained.

IV. ARGUMENT

A. Good Cause Exists To Expedite Resolution of the Instant Petition

28 U.S.C. § 1657(a) mandates Courts "shall" expedite the consideration of any civil action in which "good cause is shown." "Good cause" is shown where expediting would allow the maintenance of a Constitutional or statutory right. 28 U.S.C. § 1657(a). The mandate of 28 U.S.C. § 1657(a) supports the resolution of a *habeas corpus* petition where there is a showing of good cause. *Flagg v. Warden of Fed. Med. Ctr.-Rochester*, No. CIV. 05-2180PAMRLE, 2006 WL 763201, at *1 n.1 (D. Minn. Mar. 24, 2006) (finding good cause to grant a habeas corpus petition on an expedited basis where the Petitioner's release date was imminent) (Hon. Magnuson). Non-citizens have a statutory right to be represented in their immigration proceedings. 8 U.S.C.A. § 1362 (West). Additionally, the Due Process Clause of the Fifth Amendment is

implicated by continued detention without prompt adjudication of a fully briefed legal challenge. *Aureliano M.S. v. Bondi*, No. CV 26-1974 (JRT/DJF), 2026 WL 992445, 2 (D. Minn. Apr. 13, 2026); *Pedro A.D.L.O.O. v. Bondi*, No. CV 26-1959 (DWF/DJF), 2026 WL 948970, at *2 (D. Minn. Apr. 8, 2026). Here, Petitioner's ability to communicate with counsel in support of his immigration proceedings has been frustrated by his detention. His pending immigration hearing on September 29 is analogous to the pending release in *Flagg* and constitutes good cause to warrant expedited resolution of his *habeas* petition. Petitioner's upcoming hearing is an individual hearing, meaning it will address the merits of his immigration removal proceedings. ECF 8-3. Failure to expeditiously resolve his habeas case will interfere with his ability to prepare his case with his counsel and result in prejudice in his immigration proceedings. Failure to resolve his habeas proceedings also continues the harm of unconstitutional restraint on his liberty. The Court can avoid prejudicing Petitioner in his other proceedings and on-going violation of his Constitutional rights by granting the instant motion.

B. Neither Party Will Be Prejudiced By Expedited Judgment.

Federal Respondents do not oppose the instant motion for expedited judgment. Federal Respondent's and Petitioner's counsel have fully briefed their respective positions and have no other arguments to present. ECF 1;

ECF 5; ECF 7. Neither party's interests will be harmed by the prompt resolution of the fully brief proceedings.

V. RELIEF REQUESTED

For all the reasons stated above, the Petitioner asks this Court to grant this motion to expedite judgment and enter a ruling prior to Petitioner's September 29 hearing. In the alternative, Petitioner requests the Court schedule a status conference to allow the parties to address the pendency of this matter and any issues the Court deems relevant and determine if there is any additional briefing needed to resolve the pending Petition.

September 1, 2026

Respectfully Submitted,

/s/Solomon Daniel Steen
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