UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

HUGO ROBERTO ARREAGA MAZARIEGOS, Petitioner, v. **WARDEN, CROW WING COUNTY JAIL; ST. PAUL ERO FIELD OFFICE DIRECTOR; SECRETARY, U.S. DEPARTMENT OF HOMELAND SECURITY; DIRECTOR, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT;** and **UNITED STATES ATTORNEY GENERAL,** Respondents.	)))))))))	Civil No. 26-cv-4324 NEB/ECW

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OCT 07 2026
CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

PETITION FOR WRIT OF HABEAS CORPUS, EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER, AND REQUEST FOR STAY OF REMOVAL

Petitioner Hugo Roberto Arreaga Mazariegos, proceeding pro se, petitions this Court for a writ of habeas corpus and respectfully states:

I. PARTIES

1. Petitioner is a citizen of Mexico. He is currently detained at Crow Wing County Jail, 313 Laurel Street, Brainerd, Minnesota 56401.
2. Petitioner's Alien Registration Number is A[redacted].
3. Respondent Warden is the official responsible for Petitioner's immediate physical custody and is located within this District.
4. Respondent St. Paul ERO Field Office Director is responsible for Petitioner's immigration detention and custody decisions.
5. The remaining Respondents are federal officials responsible for the administration, supervision, or enforcement of Petitioner's immigration detention and removal.

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U.S. DISTRICT COURT MPLS

II. JURISDICTION AND VENUE

6. This Court has jurisdiction because Petitioner is physically detained within this District and alleges that his continued custody violates the Constitution and laws of the United States.

7. Venue is proper in this District because Petitioner is confined at Crow Wing County Jail in Brainerd, Minnesota, and the immediate custodian is located here.

III. FACTUAL ALLEGATIONS

8. Petitioner is a citizen of Mexico and the father of United States-citizen children.

9. Before his arrest, Petitioner maintained full-time employment and supported his family. He is not a danger to the community and is not a flight risk.

10. On or about September 15, 2026, immigration officers arrested Petitioner while he was arriving at work.

11. Since his arrest, Petitioner has not been served with a warrant, notice to appear, custody determination, bond decision, removal order, or other documents explaining the legal basis for his continued detention.

12. Petitioner does not have access to the documents allegedly authorizing his detention and has been unable to meaningfully challenge the Government's asserted basis for custody.

13. Petitioner's immigration case is pending. His next individual hearing is scheduled for October 22, 2026, at 1:30 p.m., before Immigration Judge M. Audrey Carr. The hearing is scheduled to occur by internet video.

14. Petitioner is informed and believes that no final order of removal has been entered against him. If Respondents contend otherwise, Petitioner requests that they produce the alleged order and all documents supporting detention.

15. Petitioner fears that Respondents may transfer him or remove him before he can obtain meaningful judicial review.

IV. CLAIM ONE: UNLAWFUL DETENTION AND DENIAL OF PROCEDURAL DUE PROCESS

16. The Constitution prohibits the Government from depriving a person of liberty without due process of law.

17. Immigration detention must have legal authorization and must be accompanied by constitutionally adequate procedures. Petitioner has received no documents identifying the statutory basis, factual basis, or procedural basis for his detention.

18. Detention without notice of the charges or legal authority supporting custody prevents Petitioner from contesting detention, requesting appropriate relief, and preparing for his immigration proceedings.

19. Respondents should be required to identify the alleged removal proceedings, provide the custody documents, and explain why detention is authorized.

20. If Respondents assert that Petitioner is detained after a final removal order, they should be required to establish that a final removal order exists and that continued detention is legally authorized.

21. Continued detention must remain reasonably related to the Government's legitimate immigration purposes. If removal is not reasonably foreseeable, continued detention may become unlawful.

V. CLAIM TWO: REQUEST FOR PROMPT JUDICIAL REVIEW AND RELEASE OR BOND HEARING

22. Petitioner has substantial ties to the United States, including United States-citizen children, full-time employment, and family responsibilities.

23. Petitioner is not a danger to the community and is willing to comply with all reasonable conditions of release, including reporting requirements, electronic monitoring, or other supervision.

24. At minimum, Petitioner is entitled to prompt judicial review of the basis for his detention and a constitutionally adequate custody hearing before a neutral decision-maker.

25. Petitioner requests release, or alternatively an individualized bond hearing at which the Government must justify continued detention.

VI. EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

26. Petitioner faces immediate and irreparable harm if he is transferred or removed before the Court determines whether his detention is lawful and before he can participate meaningfully in his pending immigration proceedings.

27. Petitioner has a substantial likelihood of success because Respondents have not provided him documents establishing the legal basis for his detention and because continued detention without meaningful process violates the Constitution.

28. The balance of equities favors preserving the status quo. A short stay will not prevent Respondents from enforcing immigration law, while transfer or removal could deprive Petitioner of effective judicial review and separate him from his United States-citizen children.

29. The public interest favors lawful detention procedures, judicial review, family unity, and compliance with constitutional requirements.

30. Petitioner requests an immediate order:

a. Prohibiting Respondents from removing Petitioner from the United States pending resolution of this petition;

b. Prohibiting Respondents from transferring Petitioner outside the District of Minnesota without advance notice to the Court and Petitioner;

c. Directing Respondents to preserve Petitioner's custody location and produce all documents supporting his detention; and

d. Granting any other relief necessary to preserve the Court's jurisdiction.

31. Petitioner requests, at minimum, an order preserving his custody location and preventing removal or transfer long enough for the Court to determine the proper forum and procedure for reviewing his claims.

VII. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

A. Assume jurisdiction over this matter;

B. Issue an immediate temporary restraining order prohibiting Respondents, their officers, agents, and employees from transferring Petitioner outside the District of Minnesota or removing him from the United States while this petition and emergency motion are pending;

C. Issue an immediate stay of any removal action against Petitioner pending a ruling on this petition;

D. Issue an order directing Respondents to show cause why the writ of habeas corpus should not be granted;

E. Require Respondents to produce every document supporting Petitioner's detention, including any notice to appear, warrant, custody determination, bond decision, and removal order;

F. Grant the writ of habeas corpus and order Petitioner's immediate release;

G. Alternatively, order a prompt individualized bond hearing before a neutral decision-maker;

H. Order Respondents to permit Petitioner to participate in his scheduled immigration hearing and communicate with counsel, family, and the Immigration Court;

I. Order Respondents to return any personal property taken from Petitioner at the time of his arrest, including his cellular telephone, wallet, identification documents, and clothing, or provide a sworn accounting of that property;

J. Grant such other and further relief as the Court deems just and proper.

VIII. VERIFICATION

I, Hugo Roberto Arreaga Mazariegos, declare under penalty of perjury that the facts stated in this petition are true and correct to the best of my knowledge and belief.

Executed on September 22, 2026, at Brainerd, Minnesota.

Hugo Roberto Arreaga Mazariegos
A-Number: A[redacted]
Crow Wing County Jail
313 Laurel Street,
Brainerd, Minnesota 56401

CERTIFICATE OF SERVICE

I declare that on September 22, 2026, I mailed or delivered a copy of this petition and all accompanying motions to:

Diana E. Murphy United States Courthouse

Attn: Clerk's Office

300 South Fourth Street - Suite 202

Minneapolis, MN 55416

I declare under penalty of perjury that the foregoing is true and correct.

Hugo Roberto Arreaga Mazariegos