

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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EDWIN MAURICIO Z. P.,

Case No. 26-cv-222 (LMP/DJF)

Petitioner,

v.

**ORDER GRANTING  
HABEAS PETITION**

PAMELA BONDI, *Attorney General*;  
KRISTI NOEM, *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; SIRCE  
OWEN, *Acting Director for Executive*  
*Office for Immigration Review*;  
EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW; and  
SAMUEL OLSON, *Acting Director, St.*  
*Paul Field Office Immigration and*  
*Customs Enforcement*,

Respondents.

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Carrie Huxford Peltier, **Peltier Law PLLC, Roseville, MN**, for Petitioner.

Ana H. Voss and Julie Le, **United States Attorney's Office, Minneapolis, MN**, for Respondents.

Petitioner Edwin Mauricio Z. P. is a native and citizen of Ecuador who entered the United States without inspection in March 2017. ECF No. 1 ¶¶ 32–33. He was arrested by immigration officials on January 13, 2026, *id.* ¶ 42, and has remained in the custody of United States Immigration and Customs Enforcement since that date, *id.* ¶ 24. Edwin Mauricio Z. P. alleges that he is being detained pursuant to the mandatory detention

provisions of 8 U.S.C. § 1225(b)(2), *id.*, but asserts that he is entitled instead to a bond hearing under 8 U.S.C. § 1226(a), *see id.* ¶¶ 10, 73.

Edwin Mauricio Z. P. filed a Verified Petition for a Writ of Habeas Corpus (ECF No. 1 (“Petition”)), contending that he falls within a class of noncitizens eligible for bond. *See generally id.* He also filed a motion for a temporary restraining order (“TRO”), ECF No. 3, requesting an order requiring Respondents (the “Government”) to provide him with a bond hearing, ECF No. 4 at 29. This Court has already concluded that similarly situated noncitizens are entitled to a bond hearing under 8 U.S.C. § 1226(a). *See Roberto M. F. v. Olson*, No. 25-cv-4456 (LMP/ECW), 2025 WL 3524455, at \*4 (D. Minn. Dec. 9, 2025); *Hernan C. P. v. Bondi*, No. 25-cv-4561 (LMP/ECW), ECF No. 17 at 6–10 (D. Minn. Dec. 22, 2025).

The Court ordered the Government to answer the Petition by January 16, 2026. ECF No. 5. The Government timely responded and concedes that this case “raises legal and factual issues similar to those in prior habeas petitions this Court has decided.” *See* ECF No. 6. Nevertheless, the Government “assert[s] all arguments raised by the government in *Avila [v. Bondi]*, No. 25-3248 (8th Cir. Docketed Nov. 10, 2025)], preserve[s] those arguments for any appeal in this case, and respectfully request[s] that the Court deny [Edwin Mauricio Z. P.’s] habeas petition.” *Id.*

Because nothing distinguishes Edwin Mauricio Z. P.’s case from those the Court has previously decided, the Court concludes that Edwin Mauricio Z. P. is entitled to a bond hearing under 8 U.S.C. § 1226(a). The Court therefore grants Edwin Mauricio Z. P.’s petition and denies his motion for a TRO as moot.

**ORDER**

Based on the foregoing, and on all the files, records, and proceedings in this matter,

**IT IS HEREBY ORDERED** that:

1. Edwin Mauricio Z. P.'s Verified Petition for Writ of Habeas Corpus (ECF No. 1) is **GRANTED** as follows:
  - a. The Court **DECLARES** that Edwin Mauricio Z. P. is not subject to mandatory detention under 8 U.S.C. § 1225(b)(2) and is instead subject to detention, if at all, pursuant to the discretionary provisions of 8 U.S.C. § 1226;
  - b. The Government is **ORDERED** to provide Edwin Mauricio Z. P. with a bond redetermination hearing under 8 U.S.C. § 1226(a) on the merits of his release by no later than January 27, 2026;
  - c. If the Government does not provide Edwin Mauricio Z. P. with a bond redetermination hearing as required by this Order, he must be immediately released from detention; and
  - d. On or before January 28, 2026, the Government shall provide the Court with a status update concerning the results of any bond hearing conducted pursuant to this Order or, if no bond hearing was held, advise the Court regarding Edwin Mauricio Z. P.'s release; and

2. Edwin Mauricio Z. P.'s Emergency Motion for Temporary Restraining Order (ECF No. 3) is **DENIED** as moot.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: January 20, 2026

*s/Laura M. Provinzino*

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Laura M. Provinzino  
United States District Judge