

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

YOUSEF H.,

Case No. 26-cv-716 (LMP/DJF)

Petitioner,

v.

ORDER TO SHOW CAUSE

KRISTI NOEM, *Secretary, U.S. Department of Homeland Security, Department of Homeland Security, in her official capacity*; TODD M. LYONS, *Acting Director of Immigration and Customs Enforcement, Immigration and Customs Enforcement, in his official capacity*; DAVID EASTERWOOD, *Director, St. Paul Field Office, Immigration and Customs Enforcement, in his official capacity*; SAMUEL J. OLSON, *Field Office Director of Enforcement and Removal Operations, Chicago Field Office, Immigration and Customs Enforcement, in his official capacity*; and JOEL BROTT, *Sheriff of Sherburne County Jail, Minnesota, custodian of detainees of the Sherburne County Jail,*

Respondents.

Petitioner Yousef H. is a citizen of Somalia who entered the United States on October 17, 2024. ECF No. 1 ¶ 1. He was arrested by immigration officers on December 4, 2025, and remains in the custody of United States Immigration and Customs Enforcement. *Id.* ¶¶ 4–5. He asserts that Respondents (the “Government”) have detained him pursuant to the mandatory detention provisions of 8 U.S.C. § 1225(b)(2). *See id.* ¶ 4. Yousef H.

contends that he is not subject to mandatory detention under 8 U.S.C. § 1225(b)(2) but instead is entitled to a bond hearing under 8 U.S.C. § 1226(a). *See id.* ¶ 7.

This Court has concluded that noncitizens similarly situated to Yousef H. are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2) and 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); *Victor Hugo D. P. v. Olson*, No. 25-cv-4593 (LMP/DTS), 2025 WL 3688074, at *2–3 (D. Minn. Dec. 19, 2025). Yousef H. raises the same legal issues and largely requests the same relief granted in those cases—namely, an order requiring the Government to conduct a bond hearing. *See* ECF No. 1 at 17.

This Court will not depart from its reasoning in *Roberto M. F.* and *Victor Hugo D. P.* Accordingly, **IT IS HEREBY ORDERED** that:

1. The Government is directed to file an answer to Petitioner Yousef H.’s Petition for Writ of Habeas Corpus (ECF No. 1) on or before Thursday, January 29, 2026, certifying the true cause and proper duration of Yousef H.’s confinement and showing cause why the writ should not issue in this case;
2. The Government’s answer must include:
 - a. Such affidavits and exhibits as are needed to establish the lawfulness and correct duration of Yousef H.’s detention in light of the issues raised in his Petition;
 - b. A reasoned memorandum of law and fact explaining the Government’s legal position on Yousef H.’s claims;

- c. The Government’s recommendation on whether an evidentiary hearing should be conducted; and
 - d. A good-faith argument as to whether—and if so, why—this matter is *materially* distinguishable, either factually or legally, from *Roberto M. F.* and *Victor Hugo D. P.*;
3. If Yousef H. intends to file a reply to the Government’s answer, he must do so on or before Monday, February 2, 2026;¹
 4. No further submissions from the parties will be permitted except as authorized by Court order; and
 5. The Government is **ENJOINED** from moving Yousef H. outside of the District of Minnesota during the pendency of these proceedings, so that Yousef H. may consult with his counsel and participate in this litigation while the Court considers his Petition.

Dated: January 27, 2026
Time: 4:17 p.m.

s/ Laura M. Provinzino

Laura M. Provinzino
United States District Judge

¹ The Court reserves the right to grant the Petition before Yousef H. files his reply brief if the Government’s answer plainly demonstrates that Yousef H. is entitled to relief.