

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Fausto O.,

Case No. 26-CV-00854 (MJD/LIB)

Petitioner,

v.

ORDER

Kristi Noem, et al.,

Respondents.

Petitioner was originally detained in Minnesota and subsequently transferred to New Mexico. [Doc. 1.] On January 30, 2026, this Court ordered Respondents to immediately return Petitioner to Minnesota if he had been removed from the state. [Doc. 4.] Petitioner notified the Court that as of February 4, 2026, Petitioner Fausto O. remained detained by Respondents in New Mexico despite the Court's Order. [Doc. 7.] Respondents' response to Petitioner's update failed to meaningfully address why such transfer has yet to occur. Instead, the Respondents requested a "reasonable schedule" to report the return of Petitioner to Minnesota. [Doc. 9.]

This Court's Order requiring the immediate return of Petitioner upon his removal from the state meant just that: Respondents are required to immediately return Petitioner to the state of Minnesota.

IT IS HEREBY ORDERED THAT:

1. Respondents are ordered to return Petitioner to the state of Minnesota by Monday, February 9, 2026;
2. Respondents are ordered to update the Court by 1:00 p.m. on Monday, February 9, 2026 on the status of Petitioner's return to Minnesota; and
3. If Petitioner will not be returned by Monday, February 9, 2026, Respondents are ordered to provide a statement to the Court no later than 4:00 p.m. on Monday, February 9, 2026 to show cause why Respondents should not be held in contempt for violating the Court's Order.

Dated: February 5, 2026

s/Michael J. Davis
Michael J. Davis
United States District Court