

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Jose Y.,

Case No. 26-CV-0823 (KMM/JFD)

Petitioner,

v.

ORDER

Todd Lyons, in his capacity as Acting Director, Immigration and Customs Enforcement; Kristi Noem, Secretary, U.S. Department of Homeland Security; Pamela Bondi, U.S. Attorney General; Executive Office for Immigration Review; and David Easterwood, Field Office Director of St. Paul Field Office for U.S. Department of Homeland Security, United States Immigration and Customs Enforcement, Enforcement and Removal Operations,

Respondents.

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**IT IS HEREBY ORDERED THAT:**

1. Respondents are directed to file an answer to the petition for a writ of habeas corpus of petitioner Jose Y. by no later than **February 1, 2026**, certifying the true cause and proper duration of Petitioner's confinement and showing cause why the writ should not be granted in this case.
2. Respondents' answer should include:
  - a. Such affidavits and exhibits as are needed to establish the lawfulness and correct duration of Petitioner's detention in light of the issues raised in the habeas petition;

- b. A reasoned memorandum of law and fact explaining respondents' legal position on Petitioner's claims;
  - c. Respondents' recommendation on whether an evidentiary hearing should be conducted;
  - d. Respondents' view as to whether—and if so, why—this matter is materially distinguishable, either factually or legally, from *Belsai D.S. v. Bondi*, No. 25-CV-3682 (KMM/EMB), 2025 WL 2802947 (D. Minn. Oct. 1, 2025); and
  - e. Whether the absence of a warrant preceding Petitioner's arrest necessitates Petitioner's immediate release.
3. If Petitioner intends to file a reply to respondents' answer, he must do so by no later than **February 3, 2026**. Thereafter, no further submissions from either party will be permitted, except as authorized by Court order.
  4. Respondents are **ENJOINED** from moving Petitioner outside of Minnesota until further order of the Court, so that Petitioner may consult with counsel while the Court is considering the petition, and so that there is no risk that removal of Petitioner from Minnesota will deprive this Court of jurisdiction over the petition. If Petitioner has already been removed from Minnesota, respondents are **ORDERED** to immediately return Petitioner to Minnesota.

Dated: January 29, 2026

*s/Katherine M. Menendez*  
Katherine Menendez  
United States District Judge