

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Fredy S.

File No. 26-cv-961 (ECT/DTS)

Petitioner,

v.

**ORDER**

Pamela Bondi, *Attorney General*; Kristi Noem, *Secretary, U.S. Department of Homeland Security*; Todd M. Lyons, *Acting Director of Immigration and Customs Enforcement*; David Easterwood, *Acting Director, St. Paul Field Office Immigration and Customs Enforcement*; and Ryan Shea, Sheriff of Freeborn County.

Respondents.

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Petitioner Fredy S. has filed a Verified Petition for Writ of Habeas Corpus (“Petition”) [ECF No. 1]. Based on all the files, records, and proceedings herein, **IT IS ORDERED THAT:**

1. Respondents are directed to file an answer to the Petition by no later than **February 4, 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 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; and
- d. Respondents' view as to whether—and if so, why—this matter is materially distinguishable, either factually or legally, from *Fernando F.P.D. v. Brott*, No. 25-cv-4455 (ECT/ECW), 2025 WL 3675151 (D. Minn. Dec. 17, 2025).
- 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, Petitioner must do so by no later than **February 6, 2026**. Thereafter, no further submissions from either party will be permitted, except as authorized by Court order.

4. Respondents are hereby **ENJOINED** from moving Petitioner from the District of Minnesota during the pendency of his Petition.

Dated: February 2, 2026

s/ Eric C. Tostrud  
Eric C. Tostrud  
United States District Court