

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

JOSE ROSARIO GOMEZ
GALLARDO,

Petitioner,

vs.

PAMELA BONDI, Attorney General,
et al.,

Respondents.

0:26-CV-720

ORDER TO SHOW CAUSE

The petitioner seeks immediate release from U.S. Immigration and Customs Enforcement custody in ERO El Paso Camp East Montana in El Paso, Texas. Filing 1.¹ The petitioner asserts jurisdiction and venue are proper in the District of Minnesota because the government transferred the petitioner to Texas "presumably in an effort to hinder Petitioner's ability to fight his case." Filing 1 at 7; *see Rumsfeld v. Padilla*, 542 U.S. 426, 454 (2005) (Kennedy, J., concurring) (describing exception to general rule that habeas jurisdiction lies only in the district of confinement). Accordingly, pursuant to 28 U.S.C. § 2243,

IT IS ORDERED:

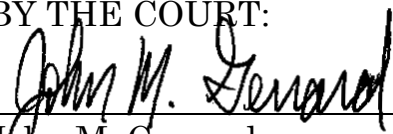
1. The respondents shall, on or before **January 30, 2026**, make a return certifying the true cause and proper duration of the petitioner's detention and showing cause why the writ should not be granted.

¹ The petition also mentions New Mexico, but according to the ICE Online Detainee Locator System, <https://locator.ice.gov/odls>, it appears Texas is correct.

2. The respondents' answer must include:
 - a. Such affidavits and exhibits as are necessary to establish the lawfulness of the petitioner's detention in light of the issues raised in the petition;
 - b. A reasoned memorandum of law and fact explaining the respondents' legal position on the petitioner's claims;
 - c. The government's positions on whether an evidentiary hearing should be conducted and whether this matter should be transferred to the Western District of Texas, and
 - d. Whether petitioner was arrested pursuant to a warrant and, if so, a copy of that warrant.
3. The petitioner may reply in support of the petition on or before February 2, 2026.
4. The respondents are enjoined from removing the petitioner from the United States until further order of the Court.

Dated this 27th day of January, 2026.

BY THE COURT:



John M. Gerrard
Senior United States District Judge