

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Darvin M.,

Petitioner,

v.

Pamela Bondi, Attorney General; Kristi Noem, Secretary, U.S. Department of Homeland Security; Todd M. Lyons, Acting Director of Immigration and Customs Enforcement; Marcos Charles, Acting Executive Associate Director for Enforcement and Removal Operations; David Easterwood, Acting Director, St. Paul Field Office Immigration and Customs Enforcement; Ted H. Kim, Associate Director of USCIS Refugee, Asylum and International Operations Directorate; Luis Borjas, Field Office Director, U.S. Citizenship and Immigration Services, St. Paul–Minneapolis Field Office; and U.S. Department of Homeland Security,

Respondents.

Case No. 26-CV-0437 (SRN/EMB)

**ORDER**

SUSAN RICHARD NELSON, United States District Judge

**IT IS HEREBY ORDERED THAT:**

1. Respondents are directed to file an answer to the petition for a writ of habeas corpus of petitioner Darvin M. by no later than January 22, 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; and
  - c. Respondents' recommendation on whether an evidentiary hearing should be conducted.
3. If Petitioner intends to file a reply to respondents' answer, he must do so by no later than January 24, 2026. Thereafter, no further submissions from either party will be permitted, except as authorized by Court order.
4. Petitioner's motion for a temporary restraining order [Doc. No. 2] is **GRANTED IN PART** as follows: Respondents are **ENJOINED** from moving petitioner outside of Minnesota until further order of the Court, so that petitioner may consult with his counsel while the Court is considering his petition, and so that there is no risk that removal of petitioner from Minnesota will deprive this Court of jurisdiction over his petition. If petitioner has already been removed from Minnesota, respondents are **ORDERED** to immediately return petitioner to Minnesota.

Dated: Monday, January 19, 2026  
4:25 p.m.

*s/ Susan Richard Nelson*  
Susan Richard Nelson  
United States District Judge