

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nicolethe N.M.S.,

Civil No. 26-1406 (DWF/LIB)

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*; and David Easterwood, *Acting Director, St. Paul Field Office Immigration and Customs Enforcement*,

Respondents.

This matter is before the Court on Petitioner Nicolethe N.M.S.’s petition for writ of habeas corpus (the “Petition”). (Doc. No. 1.) Based on the Court’s review of the record in this case, **IT IS HEREBY ORDERED** that:

1. Respondents are directed to file an answer to the Petition (Doc. No. [1]) by February 16, 2026, at 12:00 p.m. CT, certifying the true cause and proper duration of Petitioner’s confinement and showing cause why the writ should not issue in this case.

2. The answer should include:

a. A reasoned memorandum of law and fact addressing each count of the Petition;

b. Any supporting documentation that may be needed to establish the lawfulness of Petitioner’s arrest and/or continued confinement; and

c. A good-faith argument as to whether—and if so, why—this matter is materially distinguishable, either factually or legally, from *Omar E.F.G. v. Bondi*, No. 26-cv-451, 2026 WL 184571 (D. Minn. Jan. 23, 2026), and *Victor S.M. v. Noem*, No. 26-cv-400, 2026 WL 161445 (D. Minn. Jan. 21, 2026).

3. If Petitioner intends to file a reply to Respondents’ answer, she must do so by February 18, 2026, at 12:00 p.m. CT.

4. Respondents, or any other person, entity, or agency of the government, or anyone acting in concert with Respondents or the government, are **ENJOINED** from moving Petitioner from the District of Minnesota during the pendency of this action.

5. If Petitioner has already been moved from Minnesota, Respondents are **ORDERED** to immediately return Petitioner to Minnesota.

6. Judge Nancy E. Brasel entered a Temporary Restraining Order on February 12, 2026, in *Advocates for Human Rights v. U.S. Department of Homeland Security*, No. 26-cv-749 (the “TRO”). The requirements of the TRO apply to this case. Accordingly, Respondents must, among other things, ensure that Petitioner has telephone and in-person access to counsel, as outlined in the TRO.

Dated: February 13, 2026

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge