

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

Jose I.,

File No. 26-CV-1499 (JMB/DTS)

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

**ORDER**

Respondents.

---

Tong X.,

File No. 26-CV-1548 (JMB/ECW)

Petitioner,

v.

Kristi Noem, *Secretary, Department of Homeland Security*; Todd M. Lyons, *Acting Director, Immigration and Custom*; and David Easterwood, *Acting Director, St. Paul Field Office Immigration and Customs Enforcement*;

Respondents.

---

Graham M. Martin and Josiah Lindstrom, Trautmann Martin Law, PLLC, Minneapolis, MN, for Jose I.

Daniel P. Suitor, Daniel P. Suitor LLP, Minneapolis, MN, for Tong X.

Daniel Rosen, David Fuller, David Hackworthy, United States Attorney's Office,

Minneapolis, MN, for Respondents.

---

These habeas cases come before the Court for the enforcement of the Court's prior orders. The Court previously ordered the release of Petitioners, both of whom had been unlawfully detained by Respondents. Additionally, in both cases, the Court ordered Respondents to return all personal belongings taken from Petitioners during their unlawful detention because Respondents have no lawful claim to such property.<sup>1</sup>

In light of Respondents' numerous unlawful violations of court orders in these and other recent habeas cases, *see, e.g., Juan T.R. v. Noem, et al.*, 26-CV-0107 (PJS/DLM), Doc. 12-2 (D. Minn. Jan. 28, 2026), on February 27, 2026, the Court ordered Respondents "to immediately return all property in their possession, custody, or control to Petitioner's counsel" and to file declarations "by an individual with personal knowledge pursuant to 28 U.S.C. § 1746 confirming that all property of Petitioner was returned to Petitioner and attaching documentation of that fact." The Court notified Respondents that if they did not comply by 11:00 a.m. on March 4, 2026, they would face contempt proceedings. As of the date of this Order, Respondents have not complied.

Therefore, IT IS HEREBY ORDERED that:

1. The attorneys of record for the above-captioned cases shall appear at a status conference on Thursday, March 19, 2026, at 9:00 a.m. in Courtroom 3B of the Warren E. Burger Federal Building and United States Courthouse, 316 N. Robert Street, St. Paul, Minnesota.

---

<sup>1</sup> The Court provided one caveat: if Respondents or their agents confiscated any documents from a petitioner that were subject to retention after a petitioner's release, Respondents could provide certified copies of such documents to that petitioner's counsel in lieu of return of the actual documents.

2. Should the parties in either of the above-captioned cases file a written stipulation prior to 9:00 a.m. on Thursday, March 19, 2026, affirming that all property has been returned to that petitioner, the Court will consider canceling the hearing as to their specific case.
3. In the event that Respondents claim any of the Petitioners' property has been lost, the Court will consider canceling the hearing if the parties file a written stipulation prior to 9:00 a.m. on Thursday, March 19, 2026, that includes the following five components: (1) a full list of the property at issue, including Forms I-77, I-216, and G-589 for that petitioner; (2) an acknowledgment of Respondents' inability to locate the property in question; (3) an acknowledgement that there are no additional steps Respondents can take to locate the property in question; (4) an agreement that Respondents will, on or before May 1, 2026, compensate the petitioner for the value of the lost property; and (5) if applicable, an agreement that Respondents will, on or before April 1, 2026, replace or provide certified copies of lost work authorization or other documents issued by the federal government.
4. If either case remains unresolved, a contempt hearing is scheduled for Thursday, March 19, 2026, at 10:00 a.m. in Courtroom 3B of the Warren E. Burger Federal Building and United States Courthouse, 316 N. Robert Street, St. Paul, Minnesota.
5. At the contempt hearing, Daniel Rosen, David Fuller, and Respondents must appear to show cause why they should not be held in civil or criminal contempt in each of the above-captioned cases for the following conduct:
  - a. failing to comply with the Court's Order, requiring Respondents to immediately return all property of a petitioner in their possession, custody, or control, to counsel for each petitioner;
  - b. failing to comply with the Court's Order, requiring Respondents to provide documentation of the return of property.<sup>2</sup>
6. The following individuals must appear to provide testimony before the Court at the hearing:

---

<sup>2</sup> Such documentation includes submission of each of the following three forms: I-77, I-216, and G-589. Respondents may also provide additional documentation such as those filed on March 3, 2026, in Case No. 26-CV-1457 at Doc. No. 13-1.

- a. David W. Fuller, Assistant United States Attorney and Chief of the Civil Division of the Minnesota United States Attorney's Office;
  - b. Daniel Rosen, United States Attorney for the District of Minnesota;
  - c. a representative (or representatives) of Immigration and Customs Enforcement who had notice of the Court's previous Orders in each of the above-captioned cases concerning return of property and documentation of that fact, was (or were) directly or indirectly responsible for Petitioners' custody, transportation, and release, and has (or have) specific personal knowledge of Respondents' efforts to comply with the Court's previous Orders in each case; and
7. Petitioners' counsel are also ordered to appear.

Dated: March 9, 2026

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court