

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:25-cv-2748 (NEB/JFD)

Banyee, Nyynkpao

Petitioner,

STATUS REPORT

v.

Donald J. Trump, in his official capacity as
President of the United States, *et al.*,

Respondents.

The federal respondents, Donald J. Trump, in his official capacity as President of the United States; Pamela Bondi, in her official capacity as United States Attorney General; Kristi Noem, in her official capacity as Secretary of the United States Department of Homeland Security; Todd Lyons, in his official capacity as Acting Director and Senior Official Performing the Duties of the Director, United States Immigration and Customs Enforcement; Pete Hegseth, in his official capacity as Secretary of Defense; Sam Olson¹, in his official capacity as the Acting St. Paul Field Office Director for United States Immigration and Customs Enforcement, hereby submit this status report to the Court pursuant to the Court's Order (ECF 11).

As of July 14, 2025, when the Respondents filed their habeas response (ECF 6), ICE was in possession of a valid travel document for removal of Mr. Banyee to Liberia. ECF

¹ Sam Olson is the acting Field Office Director of the St. Paul Field Office and should be substituted automatically for Mr. Berg under Fed. R. Civ. P. 25(d).

7 ¶ 60. USCIS was preparing to interview Mr. Banyee regarding his claim of fear of removal to Liberia. ECF 7 ¶ 61.

USCIS has now completed its screening of Mr. Banyee's fear claim. On July 31, 2025, an asylum officer at USCIS conducted a third country screening of Petitioner Banyee. Declaration of Simone Grant ("Grant Decl.") ¶ 3. On August 6, 2025, a second asylum officer at USCIS conducted a follow-up third country screening interview of Petitioner Banyee to determine if he could establish that it was more likely than not that he would be subject to persecution or torture if he were removed to Liberia and provided Banyee with USCIS's Third Country Removal Introduction. Grant Decl. ¶ 4. USCIS determined that Petitioner Banyee had not established that it was more likely than not that he would be subject to persecution or torture. Grant Decl. ¶¶ 5-6. USCIS issued a Third Country Screening Notice indicating its decision on August 19, 2025. Second Voss Decl., Ex. 3 (Notice Dated August 6, 2025).²

Now that the third country screening is complete, ICE intends to move forward with removal of Mr. Banyee to Liberia with the travel document. ERO St. Paul removed an individual to Liberia as recently as August 1, 2025. ICE is able to schedule and effect removals to Liberia routinely and fully expects to be able to do so for Mr. Banyee. Second Declaration of John Ligon ¶ 6.

² USCIS had previously issued a Third Country Screening Notice (dated July 31, 2025) that only reflected a finding that Mr. Banyee had not established "it is more likely than not that [he] would be tortured in Liberia." Grant Decl. ¶ 8; Second Voss Decl., Ex. 4. USCIS thereafter generated and served the August 6, 2025 Third Country Screening Notice today to reflect its finding as to both persecution and torture. Grant Decl. ¶ 9-10; Voss Decl., Ex. 1 (July 31, 2025 Third Country Screening Notice).

The parties have met and conferred in advance of the United States submitting this status report and have agreed to propose to the Court that a second status update be filed in three weeks.

Respectfully submitted,

Dated: August 19, 2025

JOSEPH H. THOMPSON
Acting United States Attorney

S/ Ana H. Voss
BY: ANA H. VOSS
Assistant U.S. Attorney
Attorney ID No. 483656DC
600 United States Courthouse
300 South Fourth Street
Minneapolis, MN 55415
Phone: 612-664-5600
Email: Ana.Voss@usdoj.gov