UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Martin B.,

Petitioner

v.

Pamela Bondi, Attorney General; Kristi Noem, Secretary of Homeland Security; Todd M. Lyons, Acting Director of U.S. Immigration & Customs Enforcement; Marcos Charles, Acting Executive Associate Director for Enforcement and Removal Operations; Peter Berg, Field Office Director for Enforcement and Removal Operations; U.S. Immigration & Customs Enforcement; U.S. Department of Homeland Security; Joel Brott, Sherburne County Sheriff.

Respondents.

Case No.: 25-CV-3197 (KMM/SGE)

PETITIONER'S REPLY TO RESPONDENTS' RESPONSE TO THE ORDER TO SHOW CAUSE

EXPEDITED HANDLING REQUESTED

INTRODUCTION

Petitioner filed a petition for a writ of habeas corpus and concurrently filed a motion for a temporary restraining order ("TRO") and preliminary injunction ("PI") on August 11, 2025, alleging that he is being detained in violation of law. ECF Nos. 1-4. That same day, the Court issued an Order to Show Cause ordering Respondents to state the true cause of Petitioner's detention by August 18, 2025. ECF No. 6. On August 22, 2025, the federal government Respondents submitted documents explaining, in their view, why Petitioner is lawfully detained. *See* ECF Nos. 8-9. Notwithstanding the federal Respondents'

contentions, a preponderance of the evidence demonstrates that Petitioner is being held in violation of the laws or constitution of the United States. Consequently, the Court must order Petitioner's immediate release.

PROCEDURAL & FACTUAL HISTORY

Martin is a citizen and national of Ghana. ECF No. 8, ¶ 4. He was ordered removed from the United States by an immigration judge on March 25, 2021. *Id.*, ¶ 10. The removal order became administratively final on May 28, 2021, when Martin withdrew his administrative appeal that had been pending at the Board of Immigration Appeals. *See id.*, ¶ 11. After his removal order issued, Martin was stuck in immigration detention from March 25, 2021 until January 31, 2022 (a total of 312 days). ECF No. 1, ¶ 3; ECF No. 8, ¶ 12. Martin filed a habeas corpus petition on January 25, 2022, in relation to his post-removal-order detention. *Martin v. Garland*, No. 22-CV-00202 (NEB/BRT) (D. Minn.), ECF No. 1. Rather than contest the petition, Respondents (or their agency predecessors) voluntarily released Martin from custody and placed him on an Order of Supervision ("OOS") under 8 U.S.C. § 1231(a)(3) and 8 C.F.R. § 241.4. *See generally* ECF No. 8, ¶ 12.

In releasing Martin from custody and placing him on an OOS, Respondents necessarily concluded, among other things, that: (1) "[t]ravel documents for the alien are not available or, in the opinion of the Service, immediate removal, while proper, is otherwise not practicable or not in the public interest;" (2) "[t]he detainee is presently a non-violent person;" (3) "[t]he detainee is likely to remain nonviolent if released;" (4) "[t]he detainee is not likely to pose a threat to the community following release;" (5) "[t]he

detainee is not likely to violate the conditions of release;" and (6) "[t]he detainee does not pose a significant flight risk if released." *See* 8 C.F.R. § 241.4(e)(1)-(6).

On August 22, 2025, Respondents submitted a declaration from ICE Deportation Officer Thomas P. Murphy. ECF No. 9. Murphy sets forth his professional background clearly and does not claim to be an attorney or to have any legal training. *See id.* ¶¶ 2-3.

Murphy claims that, on August 7, 2025, ICE served Martin with a Notice of Revocation of Release ("Notice"). *Id.*, ¶ 13. Murphy is silent, however, as to whether or when (if at all) an informal interview was conducted to afford Martin an opportunity to respond to the reasons for revocation of his order of supervision," as mandated by 8 C.F.R. § 241.13(i)(3). *See generally* ECF No. 9. Murphy admits Respondents detained Martin for five days before so much as sending "a travel document (TD) request packet to the ICE HQ – Removal Management Division." *Id.*, ¶ 14. Relevant here, is the fact that Martin filed the habeas petition and TRO motion documents that are currently pending before the Court on August 11, 2025, indicating that Respondents' decision to begin the process of requesting a travel document was done in direct response to Martin's habeas petition, and would have likely been delayed further if no habeas petition had been filed. Respondents also admit that the TD request packet was not even sent to the Ghanaian Embassy until August 20, 2025, thirteen days after Respondents re-detained Martin and nine days after Martin filed his habeas petition and motion documents. *Id.*

Murphy states:

On August 20, 2025, ERO St. Paul requested SLRRFF[1] determination and

[1] The Murphy declaration does not define this acronym, but counsel is familiar with its

> timeline for TD issuance. ICE HQ confirmed there is SLRRFF to Ghana and stated that TDs will be issued in 3 to 4 weeks after a nationality verification interview is conducted by the embassy. That interview is tentatively scheduled for next week, pending embassy scheduling.
>
> On August 22, 2025, ERO St. Paul received confirmation from the Ghana Embassy that they have issued 70 travel documents for their citizens so far this year with two more pending.

Id., ¶¶ 15-16.

Although Respondents submitted copies of various documents, such as the Notice, Martin's removal order, and criminal history documents, Respondents declined to submit proof of their alleged communications with ICE HQ or the Ghanian Embassy. *See* ECF No. 9. It seems Respondents should be able to corroborate these testimonial claims for the Court by providing copies of the communications and responses.

The Notice claims that "a determination that there are changed circumstances in your case" justified redetention. ECF No. 9-4. However, the Notice fails to state with particularity what these changed circumstances consist of. *Id.* Instead, the Notice states in a wholly conclusory manner that "ICE has determined that you can be expeditiously removed from the United States pursuant to the outstanding order of removal against you," and that Martin's "case will be reviewed by the Government of Ghana for the issuance of a travel document." *Id.*

The Notice does not state that ICE has obtained a travel document from Ghana, nor could it because ICE still has not received a travel document from Ghana. *See id.*; *see also*

---

meaning. SLRRFF means "significant likelihood of removal in the reasonably foreseeable future."

ECF No. 9. The Notice does not allege that Martin failed to comply with any terms of his OOS, nor that he is being arrested for some independent reason. ECF No. 9-4.

Unlike in other cases involving Notices of Revocation of Release, Respondents failed to provide any proof whatsoever that Martin was given the informal interview required by regulation. *Compare* ECF No. 9 *with* 8 C.F.R. § 241.13(i)(3) *and Mahamed R. v. Bondi*, No. 25-CV-03196 (LMP/LIB) (D. Minn. Aug. 18, 2025), ECF No. 8 at ¶ 24 (testimonial claim of informal interview) and ECF No. 9 (informal interview documents).

Murphy's declaration does not state, or even attempt to state, why Respondents believed that changed circumstances existed prior to Martin being taken into custody. ECF No. 9. Murphy's declaration does not state why Respondents believe they will be able to obtain a Ghanian travel document, aside from briefly mentioning that "the Ghana Embassy… ha[s] issued 70 travel documents for their citizens so far this year with two more pending" while failing to state how many travel documents were (1) requested from Ghana this year, or (2) denied from Ghana this year. *Id.* Murphy's declaration does not give this Court any reason to believe that Respondent's removal is imminent or that changed circumstances justifying the cancellation of Martin's OOS existed at the time of redetention. The Notice issued to Martin also fails to answer these questions. ECF No. 9-10.

Without stating the changed circumstances, or why Murphy or Respondents believe that such changed circumstances exist, both Martin and the Court are left to guess why Martin is detained. This has the natural effect of completely impairing Martin's ability to respond to the reasons for the revocation of his OOS during any informal interview that

might occur in the future. Even assuming *arguendo* that an informal interview occurred which Respondents simply failed to mention, it was not done in a setting that allowed Martin to meaningfully contest the reasons for the revocation of his OOS.

ARGUMENT

This case turns on one question. Have Respondents established that changed circumstances existed which justified rescinding Martin's OOS pursuant to 8 C.F.R. § 241.13(i)(2)? The answer is a resounding "no."

I. Respondents Have Not Identified Changed Circumstances Justifying Redetention.

Petitioner's removal order became administratively final on May 28, 2021; Petitioner previously accrued 248 days of post-final-order custody, 158 of which occurred after the 90-day removal period elapsed on August 26, 2021. All of this was and remains § 1231 detention subject to the holdings of *Zadvydas v. Davis*, 533 U.S. 678, 699-700 (2001), which held that a person subject to a final order of removal cannot, consistent with the Due Process Clause, be detained indefinitely pending removal. *Zadvydas* also stated:

> After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, **the Government must respond with evidence sufficient to rebut that showing. And for detention to remain reasonable, as the period of prior post-removal confinement grows, what counts as the "reasonably foreseeable future" conversely would have to shrink.**

533 U.S. at 701 (emphasis added).

Here, Martin previously and necessarily demonstrated to Respondents' satisfaction that there is no significant likelihood of removal in the reasonably foreseeable future. *See,*

e.g., 8 C.F.R. § 241.4(e). Under both *Zadvydas* and 8 C.F.R. § 241.13(i)(2), Respondents "must respond with evidence sufficient to rebut that showing." Respondents have provided no evidence that demonstrates at all, much less by a preponderance of the evidence, that Martin's removal is significantly likely to occur in the reasonably foreseeable future. As such, his detention is unconstitutional and this Court must order his immediate release.

Respondents' attempts to shift the burden to Martin to demonstrate his removal is not likely to occur must be rejected as flatly inconsistent with both *Zadvydas* and 8 C.F.R. § 241.13(i)(2). *See, e.g.*, *Zadvydas*, 533 U.S. at 701; *Kong v. United States*, 62 F.4th 608, 619-20 (1st Cir. 2023) ("ICE's decision to re-detain a noncitizen . . . who has been granted supervised release is governed by ICE's own regulation requiring (1) an individualized determination (2) by ICE that, (3) based on changed circumstances, (4) removal has become significantly likely in the reasonably foreseeable future."); *Hernandez Escalante v. Noem*, No. 9:25-cv-00182-MJT, 2025 WL 2206113, at *3 (E.D. Tex. Aug. 2, 2025) ("The[] regulations clearly indicate, upon revocation of supervised release, it is [ICE's] burden to show a significant likelihood that the [noncitizen] may be removed."); *Nguyen v. Hyde*, No. 25-cv-11470-MJJ, 2025 WL 1725791, at *3 n.2 (D. Mass. June 20, 2025); *Va V. v. Bondi*, No. 25-CV-2836 (LMP/JFD), *slip op.* at *6-12 (D. Minn. Aug. 11, 2025) (holding that until ICE proved it had a travel document allowing for immediate deportation, it failed to demonstrate changed circumstances justifying redetention of an individual under 8 C.F.R. § 241.13(i)).

Because Respondents have not complied with the plain language of binding

regulations or the clear holdings of *Zadvydas* and myriad lower courts by demonstrating changed circumstances justifying redetention, Respondents' detention of Martin is unlawful. Respondents do not have a travel document for Martin and have not identified when Martin will be deported. Moreover, Respondents arrested Martin despite his OOS and the absence of any intervening circumstances justifying redetention.

To the extent Respondents state that "ICE HQ confirmed there is SLRRFF to Ghana," this claim is inherently speculative and is a wholly conclusory opinion not entitled to deference or trust in the absence of strong corroborating proof. *See* ECF No. 9, ¶ 15; *see also* ECF No. 8 at 11 (faulting Petitioner's alleged speculation). Respondents claim that ICE HQ "stated that [a travel document] will be issued in 3 to 4 weeks after a nationality verification interview is conducted by the embassy," but also admit that the interview is only "tentatively scheduled" for at unknown day and time "next week." *Id.* (emphasis added). Thus, the interview itself, as well as the timing of the interview, are speculative at best, and these vague speculations are insufficient grounds to redetain and indefinitely hold Martin despite his previously valid OOS that was revoked in contravention of law and the Constitution. It is constitutionally concerning that Respondents have been detaining Martin for nearly three weeks based on nothing more than conjecture.

Respondents cite to *Jaiteh v. Gonzales*, 2008 U.S. Dist. LEXIS 115767, at *6 (D. Minn. Apr. 28, 2008), *adopted by* 2008 U.S. Dist. LEXIS 44259 (D. Minn. May 14, 2008) for the proposition that "where a foreign country **ordinarily** accepts repatriation, and that country is acting on an application for travel documents, **most** courts conclude the alien

fails to show no significant likelihood of removal." *See* ECF No. 8 at 11 (emphasis added). *Jaiteh* is inapposite here because Martin's own history demonstrates that Ghana is not a foreign country that "ordinarily" accepts repatriation. If anything, the evidence demonstrates Ghana ordinarily *does not* accept repatriation. *E.g.*, ECF No. 9, ¶ 12 ("On January 31, 2022, ERO St. Paul released BERCHIE from custody on an Order of Supervision (Form I-220B), due to Ghana not timely issuing a travel document."). Considering that as of November 24, 2024, there were 3,228 Ghanaians with final orders of removal still living in the United States, the fact that 70 travel documents have been obtained in 2025 does not alter the fact that Ghana ordinarily does not accept repatriation. *See, e.g.*, *See* Ratkowski Decl., Exhibit A, *ICE Enforcement and Removal* Operations (Nov. 2024).[2]

Martin reiterates that his detention is punitive in both purpose and effect, rendering it unconstitutional independent of any issues regarding indefinite delay in removal. *E.g.*, ECF No. 1, ¶¶ 63-64, 75, 79-80, 98; ECF No. 1-1. Respondents have not meaningfully addressed or otherwise rebutted these contentions. Respondents have, however, given credence to these allegations by repeatedly referencing Martin's criminal history as if that criminal history somehow supports Respondents' decision to redetain Martin. *See* ECF Nos. 8-9.

---

[2] To the extent necessary to accord the requested relief, Petitioner requests that the Court judicially notice this fact sheet under Fed. R. Evid. 201(b). The relevant fact constitutes an adjudicative fact not subject to reasonable dispute because the fact "can be accurately and readily determined from [federal government] sources whose accuracy cannot reasonably be questioned."

The Court must order Martin's immediate release.

II. Petitioner's Claims Are Ripe Because Respondents Have Denied Martin Due Process.

Respondents suggest that Martin cannot combine his prior periods of detention with his 2025 redetention for purposes of the six-month *Zadvydas* mark. *See* ECF No. 8 at 14-15. This is incorrect because, as noted above, all the detention is post-removal-order detention that occurred during or after the 90-day removal period contemplated by 8 U.S.C. § 1231. Nonetheless, Respondents point to a few district court decisions that are worth briefly addressing.

Respondents principally rely on *Ghamelian v. Baker*, 2025 U.S. Dist. LEXIS 139238, at *11 (D. Md. July 22, 2025) and *Barrios v. Ripa*, 2025 U.S. Dist. LEXIS 153228, at *21 (S.D. Fla. Aug. 8, 2025), as well as the 2018 case of *Meskini v. U.S. Atty. Gen.*, 2018 U.S. Dist. LEXIS 42058, at *13 (M.D. Ga. Mar. 14, 2018). ECF No. 8 at 15. These cases are neither binding nor persuasive authority.

If the logic of *Ghamelian*, *Barrios*, and *Meskini* is followed to a natural conclusion, Respondents could avoid *Zadvydas* problems simply by releasing an individual on an OOS at 179 days of post-removal-order custody, waiting a week, and then redetaining them to restart the detention period. *Barrios* highlights the wrongheadedness of its holdings well, stating:

> Petitioner argues that his detention should be counted in the aggregate based upon his prior detentions. However, if the Court counted detentions in the aggregate, any subsequent period of detention, even one day, would raise constitutional concerns. And adjudicating the constitutionality of every re-detention would obstruct an area that is in the discretion of the Attorney General—effectuating removals.

Barrios, 2025 WL 2280485, at *8. Thus, *Barrios*' holding is explicitly and unapologetically emphasizing the importance of agency effectiveness over the constitutional rights of noncitizens. This is a gross misuse of the canon of constitutional avoidance. The simple fact is yes, a single day of custody is constitutionally problematic **when the agency does not already possess a travel document**. The detention becomes lawful the moment the travel document is obtained. In the absence of that document, however, there are no changed circumstances that justify redetention, especially in the absence of any allegations that the individual has failed to comply with their OOS which requires them to comply with attempts to be removed and to assist in obtaining a travel document after having already been deemed to not constitute a flight risk or danger to the community under 8 C.F.R. § 241.4(e)(2)-(6). *Ghamelian*, *Barrios*, and *Meskini* are inapposite because each ignores an extraordinarily important constitutional consideration relating to government-created liberty interests.

The Supreme Court has long recognized that government action can create constitutionally protected liberty and property interests that did not previously exist. *See Bd. Of Regents of State Colleges v. Roth*, 408 U.S. 564, 577-78 (1972) (acknowledging state-created property interests); *Gutierrez v. Saenz*, 606 U.S. ---, 145 S. Ct. 2258, 2265 (2025) (holding that individuals convicted of crimes in state court have a liberty interest in demonstrating their innocence with new evidence under state law and acknowledging that "a state-created right to postconviction procedures can, 'in some circumstances, beget yet other rights to procedures essential to the realization of the parent right.'").

When the government releases an individual such as Martin on an order of

supervision under 8 U.S.C. § 1231(a)(3) and 8 C.F.R. § 241.4, it creates a "legitimate claim of entitlement" to continued liberty that triggers due process protection. *Perry v. Sindermann*, 408 U.S. 593, 602 (1972). This government-created liberty interest is distinct from any natural right to freedom. Rather, it stems from the government's affirmative decision to grant supervised release and the reasonable expectations that flow from that official determination. The regulatory framework itself recognizes this by establishing specific conditions and procedures for supervision, thereby creating a structured legal relationship between the individual and the government.

The Supreme Court's due process jurisprudence recognizes that the strength of a liberty interest can grow over time through integration, reliance, and the development of legitimate expectations. In *Goldberg v. Kelly*, 397 U.S. 254, 264 (1970), the Court held that ongoing government benefits create stronger procedural protections precisely because individuals use them to provide the stuff of life and build their existence around continued receipt. *See Goldberg*, 397 U.S. at 264 ("Thus the crucial factor in this context—a factor not present in the case of the blacklisted government contractor, the discharged government employee, the taxpayer denied a tax exemption, or virtually anyone else whose governmental entitlements are ended—is that termination of aid pending resolution of a controversy over eligibility may deprive an eligible recipient of the very means by which to live while he waits. Since he lacks independent resources, his situation becomes immediately desperate. His need to concentrate upon finding the means for daily subsistence, in turn, adversely affects his ability to seek redress from the welfare bureaucracy.").

Similarly, in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976), the Court's balancing test explicitly considers "the private interest that will be affected by the official action." The longer an individual remains on supervised release, the more substantial this private interest becomes as the person integrates into the community, secures employment, establishes housing, and builds family relationships in reliance on continued liberty.

Extended periods of supervised release allow individuals to develop constitutionally significant community ties, which include: (1) employment relationships that provide economic stability and professional development; (2) housing arrangements that create property interests and community connections; (3) family relationships that may involve citizen or lawful permanent resident family members; (4) medical care continuity for ongoing health conditions; and (5) educational commitments including professional licensing or academic programs. Each of these represents a constitutionally cognizable interest that strengthens with time and creates legitimate expectations of continued liberty. *Cleveland Board of Education v. Loudermill*, 470 U.S. 532, 542-43 (1985). The longer an individual remains on supervised release, the more rigorous the procedural protections required before termination.

In this case, Martin has been on supervised release for more than 3.5 years, during which he has significantly integrated into his community. This extended period of supervision has created a substantial, government-recognized liberty interest that cannot be arbitrarily terminated.

The government's decision to redetain based on unchanged underlying facts—specifically, the speculative possibility that travel documents might become available—

violates the procedural due process protections that Martin's established liberty interest requires. At minimum, due process requires clear and present justification for redetention based on changed circumstances, a meaningful opportunity to contest the factual and legal basis for termination of supervision, a full consideration of reasonable reliance interests developed during the supervision period, and narrow tailoring to ensure redetention serves compelling government interests. Redetention based merely on speculative future document availability, without consideration of the individual's integration and reliance interests, fails to provide constitutionally adequate process.

This temporal liberty interest provides constitutional protection distinct from the *Zadvydas* framework. While *Zadvydas* addresses the outer limits of post-removal period detention, this argument addresses the procedural requirements for terminating established supervisory relationships in the specific context of civil orders of supervision that first require a finding that the individual is not a flight risk, danger, or likely to become a flight risk or danger in the future, and thus applies *even if* Respondents are correct in suggesting that Martin cannot aggregate his prior period of post-removal-order confinement with his present confinement to demonstrate being custody exceeding six months for purposes of *Zadvydas*. The constitutional violation occurs not from indefinite detention, but from inadequate process before depriving a government-created, temporally-enhanced liberty interest. This provides an independent basis for relief that does not depend on showing that removal is not reasonably foreseeable. Instead, it requires that any termination of established supervision meet enhanced due process standards.

Thus, the government's issuance of an OOS creates a protected liberty interest that

strengthens with time and community integration. Terminating this established interest requires enhanced procedural protections that account for the individual's reasonable reliance and integration during the supervision period. Redetention based on speculative future possibilities, without adequate consideration of Martin's established liberty interests, violates the Due Process Clause and requires immediate restoration of supervised release.

III. Jurisdiction / APA Claims

Respondents argue that even if they failed to comply with the plain language of 8 C.F.R. § 241.13(i)(2)-(3), this does not matter unless and until Petitioner pays an additional $400 in filing fees so that his APA-related claims may be heard. *See generally* ECF No. 8 at 12. Respondents cite no authority for this proposition, but their suggestion conflicts with 28 U.S.C. § 2241(c)(3), which allows habeas challenges for persons "in custody in violation of the… laws… of the United States," which includes federal regulation. *See, e.g.*, *Johnson v. Ashcroft*, 378 F.3d 164, 166, 169 (2d Cir. 2004) (reviewing challenge to noncompliance with mandatory regulatory requirements is "within the scope of the district court's § 2241 habeas review").

To the extent Martin has proven Respondents' noncompliance with 8 C.F.R. § 241.14(i)(2)-(3), this Court has habeas jurisdiction and may order Martin's release. 28 U.S.C. § 2241(c)(3); 5 U.S.C. §§ 702 et seq.; *Johnson*, 378 F.3d at 169.

IV. Petitioner Is Entitled to Preliminary Emergency Injunctive Relief.

Respondents argue Martin is not entitled to preliminary injunctive relief. Because Martin did request a variety of forms of injunctive relief, only some of which were

requested as preliminary orders, Martin briefly clarifies his request.

Martin's overarching concern is for his own situation. For purposes of the issue immediately before the Court, Martin seeks release only for himself, understanding that any attempts to obtain a statewide injunction will require further briefing, motion practice, and evidentiary submissions. He thus defers his request for a statewide injunction.

The immediate injunctive relief Martin seeks at this moment is:

A. Return to the status quo by ordering Martin's immediate release until his petition is adjudicated on its merits.

If the foregoing injunctive relief identified in paragraph A above is denied, Martin alternatively seeks preliminary injunctive relief in the form of:

B. An Order preventing Respondents from moving Martin outside of Minnesota pending the adjudication of his habeas corpus petition; and/or

C. An Order requiring Respondents to, at minimum, provide 72-hour notice to the Court, Martin, and the undersigned counsel of any intended movement of Martin pending the adjudication of Martin's habeas corpus petition.

Martin has clearly met his burden for obtaining the preliminary emergency injunctive relief identified above. He has established he is likely to succeed on the merits of his habeas petition, which is by far the most important *Dataphase* factor. *See Dataphase Sys., Inc. v. C L Sys., Inc.*, 640 F.2d 109, 113 (8th Cir. 1981) (*en banc*). The remaining three factors all strongly favor Martin, or, at minimum, are neutral. The threat of irreparable harm is plain—Martin cannot sustain an action for damages, and he is not going to get his time in detention back, making the harm he is experiencing from unlawful

detention plainly irreparable. The remaining two factors are either neutral or favor Martin. Though there is certainly a public and governmental interest in the efficient administration of the nation's immigration laws, Respondents' actions are neither efficient nor made according to law. Instead, Respondents have detained an individual without any constitutionally sufficient reason to believe his deportation is imminent, subjected him to mandatory detention for weeks on end at substantial cost to U.S. taxpayers, and have harmed Martin and his wife's family unity interests. To the extent the government suggested that it "would also incur costs associated with supervising Berchie outside of detention and costs associated with re-detaining him later to carry out his removal," ECF No. 8 at 22, the government provided no evidence that the cost of supervision exceeds the daily cost of detention, nor did the government explain why there would be significant costs associated with redetaining Martin.

Emergency preliminary injunctive relief is warranted.

CONCLUSION

The Court must grant Petitioner's request for emergency preliminary injunctive relief and order Petitioner's immediate release from detention.

DATED: August 24, 2025

Respectfully submitted,

RATKOWSKI LAW PLLC

/s/ Nico Ratkowski

Nico Ratkowski (Atty. No.: 0400413)
332 Minnesota Street, Suite W1610
Saint Paul, MN 55101
P: (651) 755-5150
E: nico@ratkowskilaw.com

Attorney for Petitioner