

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Martin Berchie,

Case No.: 25-CV-03197-KMM-SGE

Petitioner

v.

**MOTION FOR EVIDENTIARY
HEARING**

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.

On October 7, 2025, Respondents filed a status update claiming that Petitioner had been deported to Ghana that morning. This is technically true, but Petitioner has informed the undersigned counsel of facts that indicate the deportation was performed in an illegal manner through the use of forged documents. According to testimony from Petitioner, memorialized in Petitioner's supporting affidavit, ICE agents put Petitioner's name on someone else's travel document that had already been used and then abandoned Petitioner in Ghana's pre-customs waiting area instead of presenting him to the Ghana immigration authorities. The U.S. immigration officers then left. Ghana rejected Petitioner and went to

look for the immigration officers that brought him, but was unable to locate those officers. Ghana then, having no other option, processed Petitioner into Ghana. This is akin to pushing Berchie out of a helicopter with a parachute because a travel document could not be produced. If Petitioner's claims are true, Respondents' actions were extraordinarily illegal and are a seminal and extremely concerning example of bad faith by the agency Respondents.

Because Petitioner's deportation appears to have occurred in plain violation of law in an attempt to moot out a habeas corpus petition that was likely to be granted until Respondents started lying about having a travel document, the Court must get to the bottom of what happened through an evidentiary hearing at which all relevant Respondents and their agents are compelled to testify and present evidence. If Berchie's deportation occurred in the manner alleged by Berchie, the Court must declare that deportation illegal and unlawful and order Berchie's return and release on an Order of Supervision subject to the same conditions he previously had.

DATED: October 8, 2025

Respectfully submitted,

RATKOWSKI LAW PLLC

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