

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

KAYODE ELUSOJI,)	
)	
Petitioner,)	
)	
v.)	No. 25 C 13318
)	
PAMELA BONDI,)	Judge Seeger
Attorney General of the United States, <i>et al.</i> ,)	
)	
Respondents.)	

RESPONDENTS' STATUS REPORT

Pursuant to this court's minute order of November 7, 2025, Dkt. 4, respondents' counsel writes to apprise the court with the following information regarding petitioner Kayode Elusoji:

(1) State whether Petitioner was located in the Northern District of Illinois at the time this case was filed:

At the time his petition was filed, Elusoji was detained at the Broadview Detention Center located in Broadview, Illinois, which is within the Northern District of Illinois.

(2) The current status of Petitioner's immigration proceedings:

On October 30, 2025, Elusoji was issued a Notice to Appear for removal proceedings. Accordingly, he is currently scheduled to appear before an immigration judge at 8:30 a.m. on November 24, 2025.

(3) Petitioner's current location and proper Respondent based on that location:

Elusoji is at the Greene County Jail, 1199 North Haseltine Road, Springfield, Missouri, 65802. Respondents understand that Sheriff Jim Arnott is the proper respondent for the Greene County Jail.

(4) Government’s view regarding effect of Castanon Nava consent decree on habeas case:

This court’s order requests the government’s view as to whether the recent decision about the settlement in *Castanon-Nava v. DHS*, No. 18 C 3757 (N.D. Ill.) (Dkt. 214) has any effect on Elusoji’s habeas corpus case (including whether Petitioner was arrested with or without a warrant). In this instance, the Elusoji was arrested by U.S. Immigration and Customs Enforcement on October 30, 2025, pursuant to an administrative warrant.

Regardless, this case is not about the lawfulness of arrest where, as here, it is undisputed that Elusoji is a foreign national who illegally made his way into the United States.

There is no application of the exclusionary rule to “suppress” Elusoji from his own removal proceedings. *See United States v. Chagoya-Morales*, 859 F.3d 411, 418 (7th Cir. 2017) (“The ‘body’ or identity of a defendant or respondent in a criminal or civil proceeding is never itself suppressible as a fruit of an unlawful arrest, even if it is conceded that an unlawful arrest, search, or interrogation occurred.” (quoting *INS v. Lopez-Mendoza*, 468 U.S. 1032, 1039–40 (1984))).

If Elusoji believes that this petition is covered by *Castanon-Nava* then Elusoji should file an individual claim in that case. The period covered by the settlement agreement in that case was recently extended by the court to February 2, 2026, and there is claim mechanism that must be followed. A link to the claim mechanism can be found at:

<https://immigrantjustice.org/referral-form-castanon-nava-settlement-violations-formulario-de-remision-sobre-violaciones-del-acuerdo-castanon-nava/>.

In addition, the settlement remedy of release articulated in *Castanon-Nava* does not apply to foreign nationals who are subject to mandatory detention. *See Castanon-Nava v. DHS*, No. 18 C 3757, Dkt. 214, slip op. at 9 (N.D. Ill. Oct. 7, 2025) (discussing exceptions, “such as where the class member is subject to mandatory detention pursuant to the INA”).

Respectfully submitted,

ANDREW S. BOUTROS
United States Attorney

By: s/ Craig A. Oswald
CRAIG A. OSWALD
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 886-9080
craig.oswald@usdoj.gov