

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Luis L.P,

CASE NO. 0:25-cv-04741 (NEB/DJF)

Petitioner,

vs.

**DECLARATION OF JOHN
BARHAM**

Joel Brott, Sheriff, Sherburne
County, MN, Samuel Olson,
Director of St. Paul Field
Office, U.S. Immigration and
Customs Enforcement, Kristi
Noem, Secretary of the U.S.
Department of Homeland
Security, and Pamela Bondi,
Attorney General of the United
States, in their official
capacities,

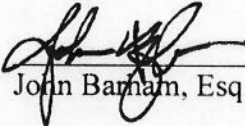
Respondents.

JOHN BARHAM declares the following under the penalty of perjury.

1. My name is John Barham. I am the attorney for Petitioner Luis L.P. in his immigration and asylum proceedings in Immigration Court.
2. On behalf of my client, I retained the services of Steven T. Appelget to pursue a writ of habeas corpus for my client as I am not licensed in this District.
3. On January 9, 2026, this Court granted the petition (ECF No. 8) and ordered Respondent's to grant a bond hearing to Petitioner.
4. On January 15, 2026 the Immigration Court held a bond hearing and granted Petitioner bond in the amount of \$1,500.00. Attached hereto as Exhibit A is a true and correct copy of the Immigration Court's Order.

5. On January 16, 2026, Petitioner's bond was paid via wire transfer. Attached hereto as Exhibit B is a true and correct copy of the receipt for payment of the bond.
 6. When Petitioner was not quickly released, I moved to demand the immediate release of Petitioner on January 20, 2026. A true and correct copy of that motion is attached hereto as Exhibit C.
 7. On January 22, 2026, I received an email from Ms. Madeline Jack, Assistant Chief Counsel at the Office of Principal Legal Advisor informing me Petitioner would not be released and claiming the bond was not paid. A true and correct copy of that email is attached hereto as Exhibit D
 8. As of today, Petitioner is still being detained in Elk River, Minnesota by Respondents.
- Further your Declarant sayeth naught.

DATED: 1/23/2026


John Barnham, Esq.



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
FORT SNELLING IMMIGRATION COURT

Respondent Name:

LOPEZ-PANTOCIN, LUIS MARCELO

To:

Barham, John M
1102 Grand Ave, Suite 2
St. Paul, MN 55105

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

01/15/2026

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because
- Granted. It is ordered that Respondent be:
- released from custody on his own recognizance.
 - released from custody under bond of \$ 1,500.00
 - other:
- Other:


Exhibit A



Immigration Judge: Kalin Ivany 01/15/2026

Appeal: Department of Homeland Security: waived reserved
Respondent: waived reserved
Appeal Due: 02/17/2026

Certificate of Service

This document was served:
Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable
To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS
Respondent Name : LOPEZ-PANTOCIN, LUIS MARCELO | A-Number 
Riders:
Date: 01/15/2026 By: Kortgaard, Alicia, Court Staff

From: John Barham jbarhamlaw@gmail.com
Subject: Fwd: Fw: WireXchange Automated Email
Date: January 23, 2026 at 12:55 PM
To: steven.appelget@gmail.com

----- Forwarded message -----
From: **Maria Kaefer** <maria.kaefer@gmail.com>
Date: Thu, Jan 22, 2026 at 2:45 PM
Subject: Fwd: Fw: WireXchange Automated Email
To: John Barham <jbarhamlaw@gmail.com>



“Don’t ask what the world needs. Ask what makes you come alive, and go do it. Because what the world needs is people who have come alive.”

– Howard Thurman

----- Forwarded message -----
From: **maria kaefer** <maria.kaefer@hotmail.com>
Date: Fri, Jan 16, 2026 at 9:37 PM
Subject: Fw: WireXchange Automated Email
To: maria.kaefer@gmail.com <maria.kaefer@gmail.com>

From: WireXchange <notification@wireexchange.goxroads.com>
Sent: Friday, January 16, 2026 9:02 PM
To: MARIKAEFER@HOTMAIL.COM <MARIKAEFER@HOTMAIL.COM>
Subject: WireXchange Automated Email

Your wire transfer on 01/16/26, in the amount of \$1,500.00, was successfully sent to ICECeBONDSPAYMENTS at TREAS NYC.

Contact Blaze Credit Union at (651) 215-350 [REDACTED] have any questions regarding this transaction. Refer to wire sequence number [REDACTED] in your inquiry.

[REDACTED] from account number ending with

[REDACTED] re ee: \$25.00


IMAD:
[REDACTED]

OMAD:
[REDACTED]

Beneficiary Information
500 12th Street SW
Washington DC 20536

3421 16th Ave S

Exhibit B

Bond #


1/20/2026

In the Matter of:

Luis Marcelo Lopez Pantocin

File No.:



**MOTION TO DEMAND THE IMMEDIATE RELEASE OF LUIS MARCELO LOPEZ
PANTOCIN**

This motion is to demand the immediate release of Marcelo Luis Lopez Pantocin. On Jan. 15, 2026, a bond hearing was held for Mr. Lopez Pantocin before Judge Ivany at the Fort Snelling Immigration Court. Judge Ivany ordered Mr. Lopez Pantocin released on a \$1,500.00 bond. At the hearing, counsel for Mr. Lopez Pantocin clarified that there was nothing preventing Mr. Lopez Pantocin's supporters from immediately going to a Fort Snelling at posting a bond for his release.

Maria Kaefler, a supporter of Mr. Lopez Pantocin immediately went online to post the bond. There were problems with the online system, so Ms. Macfer went to Fort Snelling the next morning to post his bond. She was told that bonds were no longer being accepted in person. Ms. Kaefler returned home and was eventually able to get the online system to accept the money she paid for the bond.

Today, counsel contacted both ERO and the Sherburne Co. Jail to discover that Mr. Lopez Pantocin has still not been released. After multiple attempts, counsel was able to get ERO on the phone. ERO confirmed that the bond had been paid on Friday, Jan. 16th, but that they were still unable to release MR. Lopez Pantocin. Apparently they have lost his I-352. The ERO official on the phone, who declined to give his name, was hopeful but uncertain that they would be able to release the client by tomorrow.

This situation is unacceptable. Mr. Lopez Pantocin needs to be released immediately so that he can take care of his children, one of them a minor.

Counsel requests that the Court issue an order demanding the client's immediate release.

John Barham

1102 Grand Ave, Suite 2

St. Paul, MN 55105

A handwritten signature in black ink, appearing to read 'John Barham'.

Exhibit C

United States Department of Justice
Executive Office for Immigration Review
Immigration Court
Fort Snelling, MN

In the Matter of :

Luis Marcelo Lopez Pantocin

File No.:



ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the respondent's **MOTION TO DEMAND THE IMMEDIATE
RELEASE OF LUIS MARCELO LOPEZ PANTOCIN**

, it is HEREBY ORDERED
that the Motion be

GRANTED **DENIED** because:

- DHS does not oppose the motion.
- The respondent does not oppose the motion.
- A response to the motion has not been filed with the court.
- Good cause has been established for the motion.
- The court agrees with the reasons stated in the opposition to the motion.
- The motion is untimely per _____.
- Other: _____

Deadlines:

- The application(s) for relief must be filed by _____.
- The respondent must comply with DHS biometrics instructions by _____.

Date

Immigration Judge's Signature

In the matter of:

Luis Marcelo Lopez Pantocin

File No.:



(name of alien)

("A number" of alien or aliens)

PROOF OF SERVICE

On Jan. 20, 2026, I, John Barham,
(date) (printed name of person signing below)

served a copy of this MOTION TO DEMAND THE IMMEDIATE RELEASE OF
LUIS MARCELO LOPEZ PANTOCIN

(name of document)

and any attached pages to DHS Counsel
(name of party served)

at: Via Ecas

Department of Homeland Security

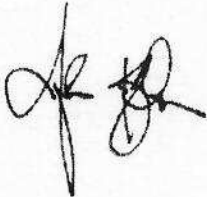
Bishop Henry Whipple Federal Building

1 Federal Drive

Suite 1800

Fort Snelling, MN 55111

Signature:

A handwritten signature in black ink, appearing to be 'John Barham'.