

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
No. 0:25-cv-4753-NEB-EMB

Victor Manuel Perete Benitez,
Petitioner,

v.

Pamela Bondi, Attorney General, *et al.*,

Respondents.

**RESPONSE TO PETITION
FOR WRIT OF HABEAS
CORPUS**

Federal Respondents¹ submit this response to the verified petition for writ of habeas corpus, ECF No. 1, pursuant to the Court's briefing order, ECF No. 3. Federal Respondents are mindful that Judge Brasel has ruled on the legal question underpinning the Petition in this case.² The Court should nevertheless deny the petition. Petitioner's continued detention is authorized—indeed, mandated—by statute.

BACKGROUND

Petitioner is a native and citizen of Mexico. Petition ¶ 1; Declaration of Christopher Campbell ("Campbell Decl.") ¶ 5, Ex. A. Contrary to the way it is described in the Petition, Petitioner has had extensive interaction with ICE.

¹ The Federal Respondents are Pamela Bondi, Attorney General; the Executive Office for Immigration Review; Kristi Noem, Secretary of the U.S. Department of Homeland Security; the Department of Homeland Security; Todd Lyons, Acting Director of U.S. Immigration and Customs Enforcement; Immigration and Customs Enforcement; and David Easterwood, Acting Director, Saint Paul Field Office Immigration and Customs Enforcement, who should be substituted automatically for Peter Berg (retired), under Fed. R. Civ. P. 25(d).

² *See, e.g., Andres R.E. v. Bondi*, 2025 WL 3146312 (D. Minn. Nov. 4, 2025).

Petitioner's first known entry to the United States was on some date prior to December 12, 2002. Records checks indicate he entered without inspection or parole. Campbell Decl. ¶ 6. On December 12, 2002, legacy Immigration and Naturalization Service (INS) encountered Petitioner at the Hennepin County Adult Detention center in Minneapolis, MN after he had been arrested for traffic violations. INS served PERETE a Notice to Appear, Form I-862, charging removability under section 212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended (INA), as an alien present in the United States without admission or parole. Campbell Decl. ¶ 7.

On August 27, 2003, an immigration judge (IJ) ordered Petitioner removed from the United States to Mexico. Campbell Decl. ¶ 8. On September 24, 2003, Petitioner appealed the IJ's decision to the Board of Immigration Appeals (BIA). Campbell Decl. ¶ 9. On November 17, 2004, the BIA remanded Petitioner's case back to the IJ. Campbell Decl. ¶ 10.

On April 27, 2007, the IJ granted Petitioner Voluntary Departure to Mexico under 8 U.S.C. § 1229c. Campbell Decl. ¶ 11. On November 5, 2007, Petitioner's Voluntary Departure was confirmed. Campbell Decl. ¶ 12. On an unknown date after his voluntary departure and prior to December 13, 2025, Petitioner entered the country without inspection or parole. Campbell Decl. ¶ 13. Petitioner alleges that his re-entry after voluntary departure was in October 2012. Petition ¶ 33.

On December 13, 2025, ICE officers conducting targeted field operations encountered and arrested PERETE near Minneapolis, MN. ICE/ERO issued him a second Notice to Appear, Form I-862, charging removability under sections 212(a)(6)(A)(i) and

212(a)(7)(A)(i)(I) of the INA as an alien present in the United States without admission or parole and as an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the INA. Campbell Decl. ¶ 14, Ex. B.

As Petitioner is an “alien present in the United States who has not been admitted,” he is deemed by statute to be an applicant for admission. 8 U.S.C. § 1225(a). Since no immigration officer has determined that he is “clearly and beyond a doubt entitled to be admitted,” Petitioner is now mandatorily detained for removal proceedings under section 8 U.S.C. § 1229a. 8 U.S.C. § 1225(b)(2). Petitioner is currently detained at Crow Wing County Jail in Brainerd, Minnesota. Campbell Decl. ¶ 15.

Petitioner’s first immigration court appearance has not yet been scheduled. Campbell Decl. ¶ 16. Petitioner has currently made no filings regarding bond or custody status with the immigration court. Campbell Decl. ¶ 17.

ARGUMENT

Federal Respondents contend Petitioner is an applicant for admission subject to mandatory immigration detention under 8 U.S.C. § 1225(b)(2). Petitioner claims he is entitled to a bond hearing under § 1226(a). But he is an “applicant for admission” as defined in § 1225(a)(1) and is therefore subject to mandatory detention under § 1225(b). The Court should deny the habeas petition and dismiss the case.

The United States submits this abbreviated memorandum and requests that the Court hold the arguments presented in full in *Andres R.E. v. Bondi*, 2025 WL 3146312 (D. Minn. Nov. 4, 2025), are preserved for appeal. As this Court knows, the United States has

appealed a decision by Judge Tunheim on the same issue to the Eighth Circuit. *Avila v. Bondi*, No. 25-cv-3741 (JRT/SGE), 2025 WL 2976539, at *1 (D. Minn. Oct. 21, 2025). The United States filed its opening brief in that case on December 12, 2025, and the Eighth Circuit granted the United States' motion for expedited consideration. *Avila v. Bondi*, No. 25-3248 (8th Cir. Dec. 12, 2025). The case should be fully briefed by the end of January 2026.

I. Petitioner is properly subject to mandatory detention according to the plain text, context, and structure of § 1225.

Petitioner's main argument—that the government improperly subjected him to mandatory detention without bond under § 1225(b)(2)—is familiar by now. This Court has heard and ruled on the government's arguments on this issue before. And the Court has undoubtedly read and considered many of the decisions of other courts in this district and elsewhere that favor Petitioner's interpretation. Petition ¶ 65.

The government will not belabor these proceedings further by simply re-arguing points the Court has already considered and rejected. Instead, the government writes to preserve its arguments for appeal. As of our latest review, there is a rapidly growing minority of district courts to adopt the government's understanding of the INA's detention provisions. *See, e.g., Calderon Lopez v. Lyons*, No. 1:25-CV-226-H, 2025 WL 3683918 (N.D. Tex. Dec. 19, 2025); *Urbina Zapata v. Chestnut*, No. 1:25-cv-01922-WBS-CKD, 2025 WL 3687643 (E.D. Cal. Dec. 19, 2025); *E.R.J.B. v. Wofford*, No. 1:25-cv-01843-WBS-SCR, 2025 WL 3683118 (E.D. Cal. Dec. 18, 2025); *Romero Rebolledo v. Chestnut*, No. 1:25-cv-01904-WS-CKD, 2025 WL 3683122 (E.D. Cal. Dec. 18, 2025); *Liang v.*

Almodovar, No. 1:25-cv-09322-MKV, 2025 WL 3641512 (S.D.N.Y. Dec. 15, 2025); *Pablo Coronado v. Secretary, DHS*, No. 1:25-cv-831, 2025 WL 3628229 (S.D. Ohio Dec. 15, 2025); *P.B. v. Bergami*, No. 3:25-cv-02978-O, 2025 WL 3632752 (N.D. Tex. Dec. 13, 2025); *Yanyun Mo v. Chestnut*, No. 1:25-cv-01789 WBS CSK, 2025 WL 3539063 (E.D. Cal. Dec. 10, 2025); *Ugarte-Arenas v. Olson*, No. 25-C-1721, 2025 WL 3514451 (E.D. Wis. Dec. 8, 2025); *Melgar v. Bondi, et al.*, No. 8:25CV555, 2025 WL 3496721 (D. Neb. Dec. 5, 2025); *Chen v. Almodovar*, No. 1:25-cv-8350, 2025 WL 3484855 (S.D.N.Y. Dec. 4, 2025); *Candido v. Bondi*, No. 25-CV-867 (JLS), 2025 WL 7484932, (W.D.N.Y. Dec. 4, 2025); *Topal v. Bondi*, No. 1:25-CV-01612 (SEC P), 2025 WL 3486894 (W.D. La. Dec. 3, 2025); *Hernandez Cruz v. Noem*, No. 8:2-cv-02566-SB-MAA, 2025 WL 3482630 (C.D. Cal. Dec. 2, 2025); *Suarez v. Noem*, No. 1:25-cv-202-JMD, 2025 WL 3312168 (E.D. Mo. Nov. 28, 2025); *Maceda Jimenez v. Thompson*, No. 4:25-cv-05025, 2025 WL 3265493 (S.D. Tex. Nov. 24, 2025); *Alves De Andrade v. Patterson*, No. 6:25-cv-01695, 2025 WL 3252707 (W.D. La. Nov. 21, 2025); *Valencia v. Chestnut*, No. 1:25-CV-01550 WBS JDP, 2025 WL 3205133 (E.D. Cal. Nov. 17, 2025); *Alonzo v. Noem*, No. 1:25-cv-01519 WBS SCR, 2025 WL 3208284 (E.D. Cal. Nov. 17, 2025); *Cabanas v. Bondi*, No. 4:25-cv-04830, 2025 WL 3171331 (S.D. Tex. Nov. 13, 2025); *Ramos v. Lyons*, No. 2:25-cv-09785-SVW-AJR, 2025 LX 568700 (C.D. Cal. Nov. 12, 2025); *Mejia Olalde v. Noem*, No. 1:25-CV-00168-JMD, 2025 WL 3131942 (E.D. Mo. Nov. 10, 2025); *Oliveira v. Patterson*, No. 6:25-CV-01463, 2025 WL 3095972 (W.D. La. Nov. 4, 2025); *Sandoval v. Acuna*, No. 6:25-cv-01467, 2025 WL 3048926 (W.D. La. Oct. 31, 2025); *Rojas v. Olson*, No. 25-cv-1437, 2025 WL 3033967 (E.D. Wis. Oct. 30, 2025); *Garibay-Robledo v. Noem*,

No. 1:25-CV-177, 2025 WL 3264478 (N.D. Tex. Oct. 24, 2025); *Vargas Lopez v. Trump*, --- F.Supp.3d ---, 2025 WL 2780351 (D. Neb. Sept. 30, 2025); *Chavez v. Noem*, No. 3:25-CV-02325, 2025 WL 2730228 (S.D. Cal. Sept. 24, 2025); *Pipa-Aquise v. Bondi*, No. 1:25-cv-01094-MSN-WBP, 2025 WL 2490657 (E.D. Va. Aug. 5, 2025). Though admittedly a minority position, that minority has grown since the BIA reached its conclusion in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA Sept. 5, 2025). See *Sandoval*, 2025 WL 3048926, at *6 (noting “many of the[] cases” taking the majority position did so “before— or soon after—the BIA issued its opinion in” *Hurtado*).

Many of these decisions include considerable in-depth legal analysis, and the government particularly commends the well-reasoned *Sandoval* opinion as containing perhaps the clearest explanation of the statutory scheme. One of the decisions observed that many of the cases rejecting the government’s interpretation “defer largely to each other.” *Mejia Olalde v. Noem*, 2025 WL 3131942, *1 (E.D. Mo. Nov. 10, 2025). Another judge, having initially rejected the government’s position, adopted it in a later ruling “after additional research and analysis.” *Ramos*, 2025 WL 3199872, at *4.

In the end, of course, “[w]hat governs this case is the text of the statute, not what other district courts have concluded.” *Mejia Olalde v. Noem*, No. 1:25-CV-00168-JMD, 2025 WL 3131942, at *1 (E.D. Mo. Nov. 10, 2025) (denying habeas petition in this context; noting majorities “sometimes get the law very wrong.”) (citation omitted). *Id.*

A. Summary of the government’s position: § 1225(b)(2)’s plain text, context, and structure support mandatory detention.

The Court should reject Petitioner’s request to convert his mandatory detention under § 1225(b)(2) into discretionary detention under § 1226(a). This shortened summary of the government’s position reiterates how the government understands the applicable statutes, highlighting persuasive language and reasoning from those district courts nationwide that have increasingly chosen to adopt this approach.

Petitioner does not dispute that he entered the United States without inspection. Petition ¶ 33. He is therefore a noncitizen “present in the United States who has not been admitted,” and he is “deemed” an “applicant for admission” under § 1225(a)(1). Under § 1225’s “catchall provision”— paragraph (b)(2)—a noncitizen such as Petitioner, who is deemed an applicant for admission and who is not subject to paragraph (b)(1), must be detained during removal proceedings. *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

Petitioner’s interpretation to the contrary relies on an interpretation of the phrase “seeking admission” in the text of § 1225(b)(2)(A). That provision, in its entirety, states:

Subject to subparagraphs (B) and (C), in the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien *seeking admission* is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding under section 1229a of this title.

8 U.S.C. § 1225(b)(2)(A) (emphasis added). This phrase, he argues, limits § 1225(b)(2)’s scope to only those “actively ‘seeking admission’ or ‘coming into the United States.’” Pet.

¶ 82.

The Court should reject Petitioner's interpretation for multiple reasons evident from the statute's text, context, and structure.

First, Petitioner's argument is contrary to § 1225's plain text, which "deem[s]" people, like Petitioner, who are already "present in the United States" without admission to be applicants for admission. *See* 8 U.S.C. § 1225(a)(1). While paragraph (b)(1) applies to those "arriving" in the United States and other more recent arrivals, paragraph (b)(2) is not so limited and applies instead to any "other" noncitizen "who is an applicant for admission." *Compare id.* § 1225(b)(1)(A)(i) *with id.* § 1225(b)(2)(A); *accord Jennings*, 583 U.S. at 287. The term "seeking admission" does not implicitly narrow this provision to just those applicants for admission who are "arriving" at the border. Such an interpretation would render paragraph (b)(2) essentially redundant of (b)(1). Rather, (b)(2) includes all people who Congress deemed to be applicants for admission who are not already covered by paragraph (b)(1).

Thus, as the growing minority of courts recognizes, "[t]here is no support in statutory text, precedent, or legislative history for the conclusion that Section 1225(b)(2) does not apply to aliens who are 'already here' after having illegally entered the country." *Chen*, 2025 WL 3484855, at *5. Indeed, "as a matter of text and logic, the proposition that someone who is physically present in the country cannot also be 'seeking admission' to the United States does not hold water." *Id.* at *6. Such an approach effectively amounts to a judicially-created "extra-statutory status." *Candido*, 2025 WL 3484932, at *4 (by arguing "he is not also 'seeking admission'" despite admitting having never been "'admitted' into the United States," Petitioner "creates his own extra-statutory status. Under such status,

after *some undetermined period of time* of merely residing unlawfully in the United States, he no longer is ‘seeking admission’ and, thereby, converts himself to bond-eligible under Section 1226(a) by nothing more than remaining in the country unlawfully.”) (emphasis in original).

These courts have seen that trying to read “seeking admission” as a separate or additional requirement “would pack a lot of meaning into what appears to be an alternate phrasing.” *Rojas*, 2025 WL 3033967 at *8. Ultimately, they have concluded, “it makes no sense to describe an active applicant for admission as somebody who is not ‘seeking’ admission.” *Valencia*, 2025 WL 3205133, at *3. This is so because, of course, “[a]n alien can have physically entered the country many years before and still be an applicant for *lawful* entry, seeking legal ‘admission.’” *Id.*; see also *Ramos*, 2025 WL 3199872, at *5 (“Petitioner is ‘seeking admission’ because the statute treats an alien who is ‘an applicant for admission’ as someone who is, legally speaking ‘seeking admission.’”); *Cabanas*, 2025 WL 3171331, at *5 (“Congress could have said that 1225(b) applied only to *arriving* aliens if that’s what was meant. But it didn’t.”); *Garibay-Robledo*, 2025 WL 3264478, at *4 (trying to distinguish between “applicant for admission” and “seeking admission . . . appears to place form over substance”).

Second, the context of § 1225’s passage in a 1996 reform package shows Congress intended to place noncitizens who are present without admission on equal footing with those who are apprehended upon arrival. Before the current version of § 1225 was enacted, under the so-called entry doctrine, inadmissible noncitizens who successfully evaded apprehension and gained entry enjoyed greater rights than those who were found

inadmissible after appearing for inspection. *Torres v. Barr*, 976 F.3d 918, 928 (9th Cir. 2020) (en banc) (explaining history of § 1225), *declined to extend by, United States v. Gambino-Ruiz*, 91 F.4th 981 (9th Cir. 2024). But Congress did away with the distinction by, among other changes, deeming both categories to be treated as applicants for admission in § 1225(a) and treating them similarly in § 1225(b). Interpreting § 1225(b) to turn on physical entry rather than lawful admission after inspection would reinvigorate the entry doctrine, contrary to Congress’s legislative efforts.

Relatedly, the government’s reading of Section 1225 “is consistent with the longstanding ‘entry *fiction*’ doctrine . . . [under which] an alien who is physically present but has not been lawfully admitted into the country is ‘legally considered to be detained at the border and hence as never having effected entry into this country.’” *Ramos*, 2025 WL 3199872, at *7 (emphasis added) (quoting *Alvarez-Garcia v. Ashcroft*, 378 F.3d 1094, 1097 (9th Cir. 2004)); *see also Valencia*, 2025 WL 3205133, at *3 (“The suggestion that petitioner may evade the designation of ‘applicant for admission’ merely because he has already entered the United States elides the fact that he was never lawfully admitted, regardless of what steps he may have taken to acquire that status.”).

In taking this approach to Section 1225, these courts join the *en banc* Ninth Circuit’s understanding of the statute’s structure and purpose. “Before IIRIRA, there was an anomaly whereby immigrants who were attempting to lawfully enter the United States were in a worse position than persons who had crossed the border unlawfully.” *Sandoval*, 2025 WL 3048926, at *6 (quoting *Torres v. Barr*, 976 F.3d 918, 928 (9th Cir. 2020) (en banc)); *id.* n.7 (accepting petitioner’s interpretation would “seemingly undermine the intent

of Congress in enacting the IIRIRA. This Court thus refuses to interpret the INA in a way that would in effect repeal Congress’s statutory fix.”) (quoting *United States v. Gambino-Ruiz*, 91 F.4th 981, 990 (9th Cir. 2024)) (cleaned up).

Third, Petitioner’s argument contradicts the structure of the statute, both within § 1225 itself and between §§ 1225 and 1226. Section 1225(b) divides applicants for admission between two subparagraphs: (b)(1) for those applicants for admission who are arriving, and (b)(2) for “other” applicants for admission. Section 1225(b) treats all “applicants for admission”—whether arriving or already present—as mandatory detainees under either (b)(1) or (b)(2), unlike *admitted* noncitizens who subject to discretionary detention and allowed bond under § 1226.

Fourth, “[h]eeding the plain language of [section 1225] does not contradict or render superfluous 1226.” *Chavez*, 2025 WL 2730228, at *5. It is “simply not true” that the “broader, more natural reading of Section 1225(b)(2)” would “all but read Section 1226 off the books,” since 1226 (unlike 1225) would still apply to noncitizens who had legal status but overstayed its expiration or committed certain crimes even during the legal status. *Chen*, 2025 WL 3484855, at *7. An irony of the majority view is that, “while purporting to guard against one word of ‘surplusage’ in the statute, [majority-view] judges [. . .] would virtually nullify Section 1225(b)(2).” *Id.* at *5.

Likewise, these courts observe, the Laken Riley Act does not undercut the government’s understanding of Section 1225. That is partly because “nothing in the Laken Riley Act suggests any Congressional thoughts concerning the issues presented in this case [relating to the interplay between 1225 and 1226].” *Rojas*, 2025 WL 3033967 at *9.

Rather, as one court noted earlier this month, “many members of Congress thought it necessary to enact [the Laken Riley Act] because of their perception that the Executive Branch had failed to enforce the detention options that were already available to it.” *Chen*, 2025 WL 3484855, at *6 (citing *Tumba v. Francis*, 2025 WL 3079014, at *4 (S.D.N.Y. Nov. 4, 2025)). That court thus “declin[ed] to participate in [the] alchemy” of “transmut[ing]” a “law that clearly was enacted to strengthen immigration enforcement . . . into a reason to defang the law on the books.” *Id.*

Even if broadly-applicable mandatory detention under Section 1225 did create some redundancy, “the Supreme Court holds, ‘Redundancy in one portion of a statute is not a license to rewrite or eviscerate another portion of the statute contrary to its text.’” *Cabanas*, 2025 WL 3171331, at *6 (quoting *Barton v. Barr*, 590 U.S. 222, 239 (2020)). Otherwise stated, “[a]s the Supreme Court has explained, ‘when confronted with a choice between an interpretation that honors a statute’s plain meaning but produces surplusage, and an interpretation that ignores the plain meaning but avoids surplusage, there is no choice at all—the plain meaning must control.’” *Artola v. Garland*, 996 F.3d 840, 844 (8th Cir. 2021) (quoted by *Valencia*, 2025 WL 3205133, at *4); *see also Valencia*, at *4 (“[I]t is perfectly possible to interpret [sections 1225 and 1226] as overlapping, and Congress often takes a ‘belt and suspenders approach’ to legislation.”) (quoting *Atl. Richfield Co. v. Christian*, 590 U.S. 1, 14 n.5 (2020)); *Garibay-Robledo*, 2025 WL 3264478, at *4 (“The Supreme Court has often recognized that sometimes the better overall reading of a statute contains some redundancy.”) (quoting *Barton*, 590 U.S. at 239) (cleaned up).

Finally, concerning the history of agency practice, there is no question the government is currently applying Section 1225 in a way not done previously. However, especially after *Loper Bright*, courts are to afford such administrative history minimal weight. Indeed, “[a] failure by the Executive Branch to enforce a statutory provision, or its conclusion that the law does not apply, does not nullify a duly-enacted law.” *Chen*, 2025 WL 3484855, at *7.

The Court should give administrative history particularly little weight here, because those emphasizing longstanding prior practice “nowhere cite[] a thorough, reasoned analysis from administrators explaining why aliens covered by 1225(b)(2) are eligible to receive bond hearings.” *Valencia*, 2025 WL 3205133, at *5; *id.* (noting the 1997 interim rulemaking supporting past practice “offered no interpretation of the statute to justify that nontextual policy, so the Court accords it little to no weight. The plain meaning prevails.”); *see also Rojas*, 2025 WL 3033967 at *9 (“If there was a documented prior rationale, the Court has not seen it”; therefore, “[t]he Court must apply the statute as written.”).

Accordingly, based on § 1225’s plain text, context, and structure, the Court should hold Petitioner is properly subject to mandatory detention under § 1225(b)(2).

B. The appropriate remedy is not immediate release but ordering a custody redetermination hearing.

Petitioner also seeks an inappropriate remedy for his alleged misclassification under § 1225(b)(2), in the form of immediate release from custody. Petition at 30 ¶¶ 6-7. If the Court rules for Petitioner and concludes he is detained under § 1226(a) and not § 1225(b)(2), the appropriate remedy would be to order a custody redetermination hearing

in immigration court, not to issue directives to ICE more broadly than as related to this individual case.

Remedies that exceed the scope of the violation are disfavored. *Id.* (quoting *Nebraska v. Biden*, 52 F.4th 1044, 1048 (8th Cir. 2022); *see also Trump v. CASA, Inc.*, 606 U.S. 831, 861 (2025) (staying preliminary injunctions “to the extent that the injunctions are broader than necessary to provide complete relief to each plaintiff with standing to sue”). As a result, “Most courts confronting claims analogous to” those raised by Petitioner “order a bond hearing, not immediate release, as a remedy.” *Mata Fuentes v. Olson*, No. 25-cv-4456 (LMP/ECW), 2025 WL 3524455, at *5 (D. Minn. Dec. 9, 2025) (citing cases). That rule applies here.

Under Petitioner’s theory, he is subject to discretionary detention under § 1226(a). But § 1226(a) does not grant “any *right* to release on bond.” *Matter of D-J-*, 23 I. & N. Dec. 572, 575 (citing *Carlson v. Landon*, 342 U.S. 524, 534 (1952)). Instead, the statute provides that the government “*may* release the alien on . . . bond of *at least* \$1,500” or on conditional parole. 8 U.S.C. § 1226(a)(2) (emphasis added). Under this plain text, posting bond of “at least \$1,500” is a condition precedent to release. *Id.* And whether a person is entitled to release on bond in the first place depends on if he can prove he “is not a danger to the community or a flight risk.” *Miranda v. Garland*, 34 F.4th 338, 347 (4th Cir. 2022). If Petitioner is entitled to any relief, it is a bond hearing.

II. No hearing is necessary.

The Court can rule on the Petitioner's habeas petition without a hearing. The facts are not disputed, and the only issue before the Court is one of legal interpretation capable of resolution on the papers.

CONCLUSION

Federal Respondents request the Court hold Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) and deny the habeas petition.

Dated: December 29, 2025

Respectfully submitted,

DANIEL N. ROSEN
United States Attorney

/s/Ana H. Voss

By: ANA H. VOSS
Assistant United States Attorney
Attorney ID Number 483656DC
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415
(612) 664-5600
ana.voss@usdoj.gov

Attorneys for the Federal Respondents