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

Ahmed Sharif Ali,

Petitioner,

0:25-cv-04776-JWB-DJF

v.

Pamela Bondi, Attorney General,

Kristi Noem, Secretary, U.S.
Department of Homeland Security,

Todd M. Lyons, Acting Director of
Immigration and Customs
Enforcement,

David Easterwood, Acting Director, St.
Paul Field Office Immigration and
Customs Enforcement, and

Eric Klang, Sheriff of Crow Wing
County.

Respondents.

**REPLY TO FEDERAL
RESPONDENTS' RESPONSE
TO PETITION FOR
WRIT OF HABEAS CORPUS**

Now Comes Petitioner, by and through the undersigned attorney, respectfully replying to the Federal Respondent's Objection to Petitioner's Verified Writ of Habeas Corpus with the following concise points of law.

This Court has ruled unequivocally in *Mayamu K. v. Bondi* that "applicant for admission," as used in 8 U.S.C. section 1225(b) to categorize noncitizens subject to mandatory detention, applies only to those "attempting to gain lawful entry into the United States." No. 25-3035 (JWB/LIB) *3 (D. Minn. filed July 28, 2025) (citing *Francisco T. v. Bondi*, Civ. No. 25-3219 (JMB/DTS), Doc. No. 20 at 12–13 (D. Minn. Sept. 5, 2025)).

At the time of his (second) detention, Mr. Ali was in Hennepin County, Minnesota, where he had been living for years, and was indisputably not "attempting to gain lawful entry into the United States." Pet. ¶¶ 20-23; Van Der Vaart Decl. 9, Ex. C.

Federal Respondents cite only to a handful of opinions far outside this Court's jurisdiction that go against the weight of the majority of District and Circuit Courts in the United States, but fail to address this Court's well-reasoned and squarely-applicable concerns in its recent opinion in *Mayamu*:

Interpreting § 1225 to encompass those already living in the United States would also effectively nullify a recent amendment to § 1226. In 2025, Congress added § 1226(c)(1)(E), which requires mandatory detention only for noncitizens who are inadmissible because of certain crimes. 8 U.S.C. § 1226(c)(1)(E). Respondents' broad interpretation of §§ 1225(b)(1) and (2) would make that amendment meaningless,

because it would require detention even for noncitizens with no criminal records who are simply present without inspection—those inadmissible under 8 U.S.C. §§ 1182(a)(6)(A) or (a)(7). Interpretations that nullify statutes enacted by Congress are rightly rejected.

No. 25-3035 (JWB/LIB) at *4.

Respondents’ proposed interpretation of the distinction between 8 U.S.C. sections 1225 and 1226 would effectively deprive 1226 of any function, which Congress surely could not have intended.

Date: January 5, 2026

/s/ Kira A. Kelley

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