

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00196-NEB-DTS

RENE PALMA,

Petitioner,

v.

DAVID EASTERWOOD, *et al.*,

Respondents¹

**BRIEF IN SUPPORT OF
FEDERAL RESPONDENTS'
MOTION TO DISMISS
OR TRANSFER**

Petitioner Rene Palma's submitted this petition for a writ of habeas corpus on January 12th, 2026. Verified Petition for Writ of Habeas Corpus ("Petition", Campbell Decl., Ex. 1). Mr. Palma's physical location at present lies within the Western District of Texas, rather than in Minnesota. The respondents draw the following factual background from the Declaration of Deportation Officer, Christopher A. Campbell ("Campbell Decl."), and from the habeas corpus petition submitted by Mr. Palma. Mr. Palma was apprehended by ICE agents on 10 January 2026. The next day, on 11 January 2026, at approximately 4 PM CST, Mr. Palma was subsequently transferred by Immigration and Customs Enforcement (ICE) from St. Paul, Minnesota to El Paso Camp East Montana detention facility in El Paso, TX. (Campbell Decl. ¶ 5). Mr. Palma's petition was filed the next day, on 12 January 2026 (Petition, Civil Cover Sheet). Given the fact that the petition was filed

¹ The Federal Respondents are Pamela Bondi, Attorney General, Kristi Noem, Secretary, U.S. Department of Homeland Security, Todd M. Lyons, Acting Director of Immigration and Customs Enforcement, and David Easterwood, Acting Director, St. Paul Field Office Immigration and Customs Enforcement (ICE).

subsequent to the transfer of Mr. Palma, the Court should therefore deny this habeas corpus petition, as it was filed in the improper district. The respondents therefore move to dismiss or transfer it to the proper district, pursuant to 28 U.S.C. § 1406(a).

ARGUMENT

Under 28 U.S.C. § 1406(a), the Court should dismiss this case or transfer it to the Western District of Texas (the district in which the El Paso Camp East Montana, the location of Mr. Palma’s detention, is located). It is a basic rule of habeas litigation “that for core habeas petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement.” *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004). That rule does not go away just because this is an immigration-related case—regardless of the type of detention at issue, petitions brought under § 2241 must be brought in the district of confinement. *See, e.g., Fisenko K. v. Ray*, No. 25-cv-4654-PJS-DLM, ECF No. 17 (D. Minn. order filed Dec. 17, 2025) (transferring immigration detention petition filed in wrong district); *Garcia v. London*, 2025 U.S. Dist. LEXIS 261751, at *3 (D. Neb. Dec. 10, 2025) (transferring immigration detention petition filed in wrong district). Because this is a jurisdictional defect, *see Padilla*, 542 U.S. at 442, the Court cannot proceed to the merits of Mr. Palma’s petition until the issue is resolved.

CONCLUSION

Simply put, this case does not belong in Minnesota. As a habeas petitioner, Mr. Palma must pursue this challenge in the *district* of his confinement, which is in the Western District of Texas, in this case. Mr. Palma's petition should meet the same result as other immigration-related habeas actions that this Court concluded were filed in the wrong place. *See, e.g., Alonso v. Office of Chief Counsel/Immigration & Customs Enf't*, 2013 U.S. Dist. LEXIS 161055 (D. Minn. Sep. 25, 2013), *adopted by* 2013 U.S. Dist. LEXIS 160842 (D. Minn. Nov. 8, 2013); *Cherichel v. Baniecke*, 2011 U.S. Dist. LEXIS 51718 (D. Minn. Apr. 20, 2011), *adopted by* 2011 U.S. Dist. LEXIS 51725 (D. Minn. May 13, 2011). The Federal Respondents respectfully request that the Court either dismiss Mr. Palma's petition or transfer it to the Western District of Texas, so that it can be decided by a federal judge with jurisdiction over the entire action.

Dated: January 14, 2026

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CERTIFICATE OF COMPLIANCE

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The undersigned attorney certifies that this memorandum complies with the type-volume and size limitations of D. Minn. LR 7.1(f) and (h). The memorandum has 535 words of type, font size 13, including all text, including headings, footnotes and quotations. The memorandum was prepared using Microsoft Word.

Dated: January 14, 2026

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