UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00646 (SHL/SGE)

Luis Fernando Gonzales,

Petitioner,

v.

Kristi Noem, *et al.*,

Respondents.

FEDERAL RESPONDENTS' RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

Petitioner filed this petition for a writ of habeas corpus to secure a bond hearing in connection with Petitioner's detention by the U.S. Immigration and Customs Enforcement. This petition raises legal and factual issues similar to those in prior habeas petitions this Court has decided. *See Elgendy v. Bondi*, No. 26-00646 (SHL-SGE), ECF No. 17 (D. Minn. Jan. 29, 2026). Those issues are currently before the Eighth Circuit on expedited review in *Avila v. Bondi*, No. 25-3248 (8th Cir. docketed Nov. 10, 2025). For purposes of expediting these proceedings, the Federal Respondents assert all arguments raised by the government in *Avila*, preserve those arguments for any appeal in this case, and respectfully request that the Court deny Petitioner's habeas petition. Respondent is also aware it must file a status report as to Petitioner's return to Minnesota. The Agency has represented Mr. Gonzales is on his way back to Minnesota at this time. Respondent's counsel will update this Court today upon confirmation Petitioner has been returned to Minnesota.

[SIGNATURE BLOCK FOLLOWS]

Dated: January 30, 2026

DANIEL N. ROSEN
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s/ J. Cruz Rodriguez

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