

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 26-cv-00710-JWB-SGE

JUAN FERRER HERNANDEZ PERAZA,

Petitioner,

v.

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

KRISTI NOEM, *et al.*,

Respondents.

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. The Federal Respondents acknowledge that this petition raises legal and factual issues similar to those in prior habeas petitions this Court has decided. *See* Dkt. 3, at 2. 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.

Merits aside, the Federal Respondents are mindful of the provision in the Court's Order for Response cautioning that "[f]ailure to substantive comply with [the] Order may result in a finding that Respondents have waived their answer." Dkt. 3, at 2. The Federal Respondents are not waiving their answer or any arguments, and they respectfully stand by their decision to expedite these proceedings by filing a short response that incorporates and

preserves for appeal arguments the Court has already considered and rejected. This approach allows Petitioner's habeas action to be adjudicated promptly; if release or a bond hearing is ordered, then it allows that relief to be provided as quickly as possible. These considerations likely explain why a different judge in this District openly approved of the Federal Respondents' one-page response, describing it as a "model example of a response in a case that is not materially distinguishable from [prior habeas petitions]. It preserves the Government's arguments for appeal while avoiding the effort of filing the same recycled template brief that this Court has already rejected." *Mauro Johnny P.P. v. Lyons*, No. 26-cv-00204-LMP-DJF (D. Minn. order filed Jan. 15, 2025).

Dated: January 28, 2026

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