

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00716-LMP-DJF

Yousef Hussein,

Petitioner,

RESPONSE TO PETITION

v.

Kristi Noem, et al.,

Respondents.

Petitioner

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. The Federal Respondents also acknowledge that many judges in this District conclude the absence of a warrant preceding a petitioner's arrest necessitates immediate release. 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. Alternatively, the court may enter an order requiring the Respondents to afford Petitioner a bond hearing as he requested.

Signature page follows

Dated: January 29, 2026

DANIEL N. ROSEN
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s/ Friedrich A. P. Siekert

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