

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00724-SHL-LIB

MOHAMOUD SAMATAR,

Petitioner,

v.

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

DAVID EASTERWOOD, *et al.*,

Respondents.

Petitioner does not qualify as a member of the *Baustista* class because petitioner was apprehended upon entering this United States of America. *See* Dkt. No. 1 at ¶ 27. Furthermore, through an application for asylum, Petitioner is unquestionably, affirmatively “seeking admission” into the United States, which makes him subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). As such, Respondents very respectfully request this Court denies Petitioner’s Habeas Corpus Petition. Petitioner filed this petition for a writ of habeas corpus to secure a bond hearing or release in connection with his detention by the U.S. Immigration and Customs Enforcement (“ICE”). *See* Dkt. No. 1 (“Petition” or “Pet.”). He is currently detained by ICE pursuant to 8 U.S.C. § 1225(b)(2)(A), as he falls under the statutory definition of an “applicant for admission,” *see* 8 U.S.C. § 1225(b)(1).

The Agency has represented Petitioner, Mr. Mohamoud Samatar is currently in El Paso, Texas. The undersigned counsel has communicated to the Agency as of 1047 this morning, Mr. Mohamoud Samatar must be returned to Minnesota immediately.

This Petition raises legal and factual issues¹ similar to those confronted (and decided) by courts in this District in prior habeas petitions. *See, e.g., Belsai D.S. v. Bondi*, No. 25-cv-3682 (KMM/EMB), 2025 WL 2802947 (D. Minn. Oct. 1, 2025). Those issues are currently before the Eighth Circuit on expedited review in *Avila v. Bondi*, No. 25-3248 (8th Cir. docketed Nov. 10, 2025). Rather than belabor these proceedings by re-arguing points that the Court has considered and rejected, the Federal Respondents assert all arguments raised by the government in *Avila* and respectfully request that the Court preserve those arguments for appeal in this case. Federal Respondents do write to briefly address two additional assertions in the Petition.

I. Mandatory Detention under § 1225

Dozens of courts across the country have adopted the government's interpretation of § 1225, including as recently as today in this district. *See, e.g., Bidye M. v. Kandiyohi County Jail and United States of America*, No. 25-04791 (PAM-EMB), ECF No. 10 (D. Minn. Jan. 16, 2026); *Abdirahmaan G. v. Noem*, No. 26-34 (PAM/SGE), ECF No. 7 (D. Minn. Jan. 14, 2026) at 4-5 (finding the “growing minority of district courts to reject Petitioner’s argument” correct). Very recently, a court in this District has repeatedly agreed with the government’s argument. *See Abdirahmaan G. v. Noem*, No. 26-34 (PAM/SGE), ECF No. 7 (D. Minn. Jan. 14, 2026); *Jose C. v. Bondi*, No. 26-135 (PAM/DTS), EFC No. 14 (D. Minn. Jan 20. 2026); *See also Aylonar L. v. Bondi*, No. 26-159 (PAM/JFD),

¹ Federal Respondents agree that this matter is not materially factually or legally distinguishable from *Belsai D.S. v. Bondi*, No. 25-cv-3682 (KMM/EMB), 2025 WL 2802947 (D. Minn. Oct. 1, 2025). Given this, Federal Respondents do not believe an evidentiary hearing is necessary.

ECF No. 7 (D. Minn. Jan 21, 2026). 8 U.S.C § 1225 plain text “deem[s]” people who are already “present in the United States” without admission to be applicants for admission. *See* 8 U.S.C. § 1225(a)(1). Although paragraph (b)(1) applies to those “arriving” in the United States and other more recent arrivals, paragraph (b)(2) is not so limited and applies instead to any “other” noncitizen “who is an applicant for admission.” *Compare id.* § 1225(b)(1)(A)(i), *with id.* § 1225(b)(2)(A); *accord Jennings*, 583 U.S. at 287.

Essentially, the term “seeking admission” does not implicitly narrow this provision to just those applicants for admission who are “arriving” at the border. Such an interpretation would render paragraph (b)(2) essentially redundant of (b)(1). Rather, (b)(2) includes all people deemed to be applicants for admission who are not already covered by paragraph (b)(1). For example, the Court in *Apilonar L.* held, “the plain reading of the text is that detention is mandatory.” No. 26-159 (PAM/JFD), ECF No. 7, p. 3, ¶ 3. *The court was categorical*, “distinctions based on the length of an alien’s presence in the United States, an alien’s efforts to secure lawful status here, or where an alien was apprehended . . . [s]uch limitations are not found in the statute.” *Id.* Accordantly, this Court should find the plain meaning of the statute should prevail. Petitioner is an applicant for admission because Petitioner is present in this country, and Petitioner has not been admitted.

II. Petitioner is not Eligible for Relief under Bautista

Petitioner asserts entitlement to relief as *Bautista* class member, *see* Pet. ¶¶ 2-4, 32-34. *Bautista* class members are “noncitizens in the United States without lawful status who (1) have entered or will enter the United States without inspection; (2) were not or will not be

apprehended upon arrival; and (3) are not or will not be subject to detention . . .” *Id.* at *1. Petitioner concedes he was detained by DHS upon arrival. *See Pet.* ¶ 27. Clearly, Petitioner is not eligible for relief under *Bautista*.

Notwithstanding that, partial final judgment in *Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 U.S. Dist. LEXIS 262265 (C.D. Cal. Dec. 18, 2025), is not binding here. That judgment is on appeal, *see Bautista, et al. v. United States Department of Homeland Security, et al.*, No. 25-7958 (9th Cir.), and as another district court found after examining the issue in detail, it does not have preclusive effect. *See Lopez v. Lyons*, No. 1:25-CV-226, 2025 U.S. Dist. LEXIS 265505 (N.D. Tex. Dec. 19, 2025). Moreover, the Ninth Circuit itself has held that a prior “class action has no preclusive affect in habeas proceedings,” *Griffin v. Gomez*, 139 F.3d 905 (9th Cir. 1998), nor do res judicata and collateral estoppel do not apply to them. *See Clifton v. Attorney General*, 997 F.2d 660, 662 n.3 (9th Cir. 1993) (because “conventional notions of finality of litigation have no place” in habeas the inapplicability of res judicata to habeas is “inherent in the very role and function of the writ”) (quoting *Sanders v. United States*, 373 U.S. 1, 8 (1963)). Other circuit courts of appeal agree. *See, e.g., Hardwick v. Doolittle*, 558 F.2d 292, 295 (5th Cir. 1977) (“The doctrines of res judicata and collateral estoppel are not applicable in habeas proceedings.”); *Hierens v. Mizell*, 729 F.2d 449, 456 (7th Cir. 1984) (“[A] decision in another case is not res judicata as to a habeas proceeding.”).

For all these reasons, and those articulated in *Avila*, Federal Respondents respectfully submit the Petition should be denied.

Dated: January 30, 2026

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