

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Maria M.,

Petitioner,

v.

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.

Respondents.

Case No. 26-CV-00734 (SHL/SGE)

**EMERGENCY MOTION FOR AN
ORDER TO SHOW CAUSE WHY
RESPONDENTS SHOULD NOT BE
HELD IN CONTEMPT
AND/OR
FOR RELIEF UNDER FED. R.
CIV. P. 70**

Expedited Handling Requested

Pursuant to Fed. R. Civ. P. 70, L.R. 7.1(e), and 18 U.S.C. § 401, Petitioner Maria M., hereby moves the Court for an Order to Show Cause as to why the Respondents should not be found in contempt, the impositions of sanctions, and/or provide alternative relief. The Court has ordered Respondent to be immediately released upon return to Minnesota, which occurred on February 2, 2026. To date, Petitioner is still incarcerated at the Crow Wing County Jail located in Brainerd, MN. Respondents have failed to release Petitioner and should be held in contempt.

Contempt. Petitioner hereby moves the Court for an order compelling Respondents to appear and show cause why they should not be held in contempt, for the following reasons:

1. On February 1, 2026, the Court issued an order in this matter that granted the Petition. Among multiple orders for relief the Order stated:
 - a. Within three days of the date of this Order, the Parties shall confirm that Petitioner has been released as required by this Order.
2. On February 2, 2026, Petitioner's counsel was notified of the following information:
 - a. Petitioner's husband stated Petitioner was in Minnesota.
 - b. Petitioner was extremely worried about having no contact with his wife throughout the duration of her incarceration.
3. On February 3, 2026:
 - a. Petitioner's husband notified counsel that she still was in ICE detention in Minnesota, specifically at Crow Wing County Jail.
 - b. Counsel's office contacted ICE and was informed ICE did not have a copy of the habeas corpus petition Order.

- c. ICE was then asked why Petitioner was transferred from Texas to Minnesota if they didn't have an Order. Undersigned counsel's staff member was put on hold and later told Petitioner will on the "list" and that they do not know when Petitioner will be released.
 - d. The ICE officer stated it is up to Crow Wing County Jail when to release Petitioner.
 - e. The same staff member of underlying counsel's office called Crow Wing County Jail and spoke to a specific officer, Michael Tritlett, who confirmed Petitioner is located at Crow Wing County Jail, and that he does not have a copy of the Habeas Corpus Order.
 - f. A copy of that Order was emailed to Officer Tritlett and the staff member was given a phone number to follow up.
4. On February 4, 2026:
 - a. Undersigned counsel contacted the AUSA on this case, Fred Siekert, at approximately 3:20pm to ask why the release of Petitioner has not been made.
 - b. No response has been received as of the date of this Motion.
 5. On February 5, 2026:

- a. Staff member of undersigned counsel found out that the Crow Wing County Jail still does not have a copy of the Order despite sending a copy to Officer Tritlett via email. This staff member was told to bring a physical copy of the Order to the ICE ERO window at Fort Snelling.
- b. This staff member asked to be transferred to a supervisor and after two transfers finally spoke to Officer Pete who informed her that he did not see an Order and that the staff member needed to talk to custody management.
- c. Undersigned counsel emailed Mr. Jim Stolley, Chief Counsel at Department of Homeland Security at Fort Snelling, Minnesota, a copy of the Habeas Corpus Order asking for immediate release of Petitioner. Counsel also cc'd the St. Paul ERO office a copy as well.
- d. To date, there has been no confirmation of the release of Petitioner.

Relief under Rule 70. For either concurrent or alternative relief, the Petitioner also requests relief under Fed. R. Civ. P. 70 by either appointing a third party to carry out the Court's Order (R. 70(a)) at the expense of the Respondents.

In support of this Motion, Petitioner relies upon all the files, records, and proceedings herein together with the facts as stated above.

Respectfully submitted,

Dated: February 5, 2026

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Dated: February 5, 2026

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