

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

Julio Cesar Valero,

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,

David Easterwood, Acting Director, St.
Paul Field Office Immigration and
Customs Enforcement, and

Respondents.

Case No. 0:26-cv-744

**PETITIONER'S MOTION TO
SHOW CAUSE**

Expedited Handling Requested

Petitioner Julio Cesar Valero (“Mr. Cesar Valero”), by and through the undersigned attorney, seeks expedited relief for Respondents’ continued violations of the Orders issued in this District.

Mr. Cesar Valero respectfully requests this Court order Respondents to show cause as to why this Court should not hold them in contempt for violating its order issued on January 29, 2026. [*See* ECF No 7]. In that order, this Court required Respondents to file a declaration, “stat[ing] when and where the Petitioner was released, attach[ing] any and all relevant documentation concerning the Petitioner’s release, and affirm[ing] that all property of Petitioner was returned to Petitioner upon release (or, if property is retained,

stat[ing] which property and the legal basis for retention).” Respondents’ filing fails to meet any of these criteria.

After this Order was issued, the undersigned corresponded regularly with Respondents counsel to ensure Mr. Cesar Valero’s release, which finally occurred around 6:00 p.m. on Saturday, January 31, 2026. (boulette Decl. at ¶ 4.) After Mr. Cesar Valero’s release, counsel learned that his driver’s license and work permit had been withheld and conditions of release imposed. (boulette Decl. at ¶ 5.) Despite attempts to confer with Respondents’ counsel outlined in the accompanying declaration, Mr. Cesar Valero’s documents were not returned nor have the conditions imposed by Respondents been rescinded. (boulette Decl. at ¶ 6–8.)

Instead, Respondents filed a status report that ignores the imposed conditions and concedes, at least tacitly, that they have kept Petitioner’s documents. But rather than “stat[ing] which property and the legal basis for retention,” Respondents have simply provided generic information about their own internal policies. (Fuller Decl. at Ex. A.) But Respondents’ “standard practice” is not law. This Court’s order, however, is. Without anything beyond “it’s what we do,” to justify their actions, Respondents cannot use Petitioner’s illegal confinement as a basis to seize his documents. That’s especially true when that seizure appears to be little more than retaliation for Petitioner prevailing in his request for habeas relief. Similarly, Respondents cannot impose conditions on Mr. Cesar Valer’s release from detention when that detention, itself, has been found unlawful. (boulette Decl. at ¶ 5.)

This is hardly the first order Respondents have ignored. As of January 28, ICE has violated at least “96 court orders ... in 74 cases” since January 1, 2026. *Juan T.R. v. Noem, et al.*, No. 26-CV-0107 (PJS/DLM), 2026 WL 232015, at *1 (D. Minn. Jan. 28, 2026). Respondents’ violation of this Court’s January 29, 2026 Order adds another to that long, and growing, list.

Mr. Cesar Valero moves the Court to require Respondents to promptly explain why they should not be held in contempt for bypassing the Court’s Orders and further depriving Mr. Cesar Valero of his rights. This Court’s “interest in orderly, expeditious proceedings” merits reasonable action to ensure compliance with its orders, including imposing appropriate sanctions and compelling compliance with the original order. *Hutto v. Finney*, 437 U.S. 678, 693-94 (1978); *see also Powerlift Door Consultants, Inc. v. Shepard*, No. 21-CV-1316 (WMW/ECW), 2022 WL 16822179, at *3 (D. Minn. Aug. 17, 2022), *report and recommendation adopted*, No. 21-CV-1316 (WMW/ECW), 2022 WL 16821500 (D. Minn. Nov. 8, 2022). Petitioner submits this motion on an expedited basis because Respondents’ practices make clear that each passing hour risks additional further evasive action as Respondents evolve new excuses to justify their behavior.

Mr. Cesar Valero further moves this Court to award the attorney fees he incurred to ensure that Respondents complied with this Court’s Orders. *See* 28 U.S.C. § 1927 (“Any attorney ... who so multiplies the proceedings in any case unreasonably ... may be required by the court to satisfy personally the excess costs, expenses, and attorneys’ fees reasonably incurred because of such conduct.”).

Date: February 2, 2026

/s/ m boulette

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