UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00778-JRT-LIB

Christian Alexander Sun Chajon,

Petitioner,

v.

Pamela Bondi, *et al.*,

Respondents.

FEDERAL RESPONDENTS' RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS

Petitioner Christian Alexander Sun Chajon filed this petition for a writ of habeas corpus because he wants an immigration court to conduct a bond hearing in connection with his detention by the U.S. Immigration and Customs Enforcement ("ICE"). Respondents, Pamela Bondi, Kristi Noem, Todd Lyons and David Easterwood (collectively "the Federal Respondents") submit this response to the petition. Respondents very respectfully request this Court dismisses his Petition for improper venue or transfer it to the United States District Court for the Western District of Texas. Notwithstanding that, Respondents assert Petitioner is subject to mandatory detention under 8 U.S.C § 1225(b)(2)(A), and Petitioner does not qualify for relief under *Bautista*.

BACKGROUND

The Federal Respondents do not contend the following salient facts from the Petition. Petitioner is a citizen of Guatemala. *Pet* ¶ 16. Petitioner was detained by ICE in Burnsville, Minnesota early January. *See id.* at ¶ 19. Petitioner is currently detained at the

El Paso Camp East Montana in El Paso, Texas. *See id.* at 20. This Petition was filed on January 28, 20006. *See* Dkt. No. 1

ARGUMENT

This Court should dismiss this Petition for improper venue or transfer it to United States District Court for the Western District of Texas. Notwithstanding that, Respondent asserts Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). Noncitizens can be held without bond under § 1225. *Id.* That is what's happening here. Petitioner is subject to mandatory detention because Congress directs that noncitizens who get into the United States without being inspected "shall be deemed for purposes of this chapter an applicant for admission" and then detained pursuant to § 1225(b)(1) or § 1225(b)(2). To the extent Petitioner thinks his detention should instead be governed by § 1226, he is wrong. Petitioner's reliance on *Bautista* is also misplaced.

I. Jurisdiction

Just this Friday a court in this District reaffirmed "the Supreme Court has interpreted . . . habeas petitions should, generally, be brought in the district of confinement." *See Lauro v. Noem, et al.*, No. 26-00581 (NEB-DJF) EFC Doc. No. 12 (D. Minn. Jan. 30, 2026) (citing *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004)). The facts in *Lauro* are similar to those presented by Petitioner in this case. In *Lauro*, Petitioner argued the Court had jurisdiction because part of the relevant events occurred in Minnesota. *See id.* at p. 2, ¶ 2. The court in *Lauro* disagreed with that argument. The Court stated, "[h]abeas forum-location rules are found in 28 U.S.C. Section 2241, which provides that district courts may grant habeas relief 'within their respective jurisdictions.'" 28 U.S.C. § 2241(a). *Id.*

Under 28 U.S.C. § 1406(a), the Court should dismiss this case or transfer it to the Western District of Texas. Again, it is a basic rule of habeas litigation "that for core habeas petitions challenging present physical confinement, jurisdiction lies in only one district: the district of confinement." *Padilla*, 542 U.S. 426, 443 (2004). That rule does not go away just because this is an immigration-related case—regardless of the type of detention at issue, petitions brought under § 2241 must be brought in the district of confinement. *See, e.g., Fisenko K. v. Ray*, No. 25-cv-4654-PJS-DLM, ECF No. 17 (D. Minn. order filed Dec. 17, 2025) (transferring immigration detention petition filed in wrong district); *Garcia v. London*, 2025 U.S. Dist. LEXIS 261751, at *3 (D. Neb. Dec. 10, 2025) (transferring immigration detention petition filed in wrong district). Because this is a jurisdictional defect, see Padilla, 542 U.S. at 442, the Court cannot proceed to the merits of Petitioner's petition or rule on his motion for a temporary restraining order until the issue is resolved.

Here, Petitioner is obviously aware of the venue problem, yet Petitioner fails to address the crux of the matter in this case: why does this Court has jurisdiction over this matter even though counsel had knowledge of Petitioner's location at the time of filing, and the Petition was filed weeks after Petitioner was moved outside Minnesota. Respondent concedes courts in this District have ruled "habeas jurisdiction attached at the time of Petitioner's apprehension in this District. That jurisdiction is not defeated by any subsequent decision by Respondents transfer Petitioner to another state." *Victor P. v. Kristi Noem*, et al., No. 26-cv-430 (MJD/SGE) (D. Minn. Jan. 19, 2026).

Here, that argument is not applicable because Petitioner was transferred well before the filing of the Petition. Specifically, the court in *Victor* took issue with "[t]he position

that jurisdiction lies exclusively in the district to which Respondents transfer a petitioner would permit the Government to determine the forum for judicial review through its own logistics. Federal courts may not be divested of jurisdiction in that manner. *See id.* In this case, this is not a concern because Petitioner was transferred weeks before any matter was presented to the Court. Hence, the argument Respondent transferred Petitioner to divest this Court of jurisdiction is a weak argument, since there was not matter in controversy at the time of the transfer nor there was any matter in controversy in the weeks that followed.

As the Supreme Court explain in Branden, a writ of habeas corpus acts "upon the person who holds [a petitioner] in what is alleged to be unlawful custody. *Braden v. 30th Judicial Circuit Court of Kentucky, 410 U.S. 484 (1973)*. Therefore, a habeas petition must be brought in a district court that would have jurisdiction over the custodian. The fact Petitioner was arrested in Minnesota the fact the district with jurisdiction over the custodian is the District of New Mexico.

At the heart of this matter is the fact habeas actions are for challenging the validity of a petitioner's physical confinement. *No matter where the underlying events or omissions giving rise to a petitioner's detention occur*, "the proper respondent to a habeas petition is the person who has custody over the petitioner" and not "not the Attorney General or some other remote supervisory official." *Padilla*, 542 U.S. at 434-35. The fact that Petitioner's detention "originated" here does not change who his current custodian is or where that custodian is located. Even if Petitioner thinks there is some remote control of his detention by officials in Minnesota, the Supreme Court's decision in *Padilla* requires him to seek

habeas relief against the official immediately in charge of the facility where he is currently detained.

Lastly, Respondent is well aware there are circumstances under which a court may grant habeas relief even if the petitioner is outside that court jurisdiction. Namely,

> [i]f there is an indication that the Government's purpose in removing a prisoner were to make it difficult for his lawyer to know where the habeas petition should be filed, or where the Government was not forthcoming with respect to the identity of the custodian and the place of detention. In cases of that sort, habeas jurisdiction would be in the district court from whose territory the petition had been removed.

Rumsfeld v. Padilla, 542 U.S. 426, 454 (2004)). This is not the case here. Petitioner acknowledges using of Respondent's tracker to ascertain Petitioner's location. *See* Pet. at ¶ 23. Therefore, any argument the transfer was made to difficult Petitioner's counsel decision as to where to file this Petition is meritless. Again, Petitioner counsel was clearly aware of Petitioner's location at the time of the filing. *See id.* Respondents do not dispute some courts in this District have found jurisdiction in cases where the Petitioner was outside Minnesota. However, Petitioner does not address why this Court should find jurisdiction in this case where it is undisputed Petitioner was moved weeks before filing of this Petition, and Counsel was aware of the location ahead of filing this Petition.

II. Mandatory Detention under § 1225

The gist of Petitioner's pursuit of habeas relief is he is subject to detention under § 1226 rather than § 1225. In particular, he wants a bond hearing. Pet. ¶¶ 26 – 45. The Court is familiar with this issue by now and has already ruled on the government's arguments for holding that detention under these circumstances is appropriately characterized as

mandatory detention pursuant to § 1225. *See, e.g.*, *Mayamu K. v. Bondi*, No. 25-3035 (JWB/LIB) (D. Minn. filed July 28, 2025); *Eliseo A.A. v. Olson*, Civ. No. 25-3381 (JWB/DJF) (D. Minn. filed Aug. 27, 2025). Although the Eighth Circuit is poised to weigh-in soon, *see Avila v. Bondi*, No. 25-3248 (8th Cir. docketed Nov. 10, 2025), the Federal Respondents acknowledge this case presents similar legal and factual issues to prior habeas petitions including *Maldonado v. Olson*, No. 25-cv-3142, 795 F. Supp. 3d 1134 (D. Minn. 2025). Rather than belabor these proceedings further by re-arguing points that the Court has considered, the Federal Respondents summarize the legal basis for the government's interpretation. The Federal Respondents request that the Court note the arguments made below and in *Mayamu K.* and *Eliseo A.A.* and hold that they are preserved for appeal.

A. Mandatory Detention

The Court should uphold Petitioner's mandatory detention under § 1225(b)(2). Petitioner is a noncitizen present in the United States who entered without inspection. Thus, he is "deemed" to be an "applicant for admission" under § 1225(a)(1). Pursuant to the statute's "catchall provision"—paragraph (b)(2)—a noncitizen like Petitioner who is deemed an applicant for admission and who is not subject to paragraph (b)(1) must be detained during removal proceedings. *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018). The Court should reject Petitioner's request to recast his detention as arising under § 1226, for reasons that are evident from the text, context, and structure of the statutes at issue.

First, Petitioner's argument is contrary to § 1225's plain text, which "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. 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).

Second, the context of § 1225's passage in a 1996 reform package shows Congress intended to place noncitizens who are present without admission on equal footing with those who are apprehended upon arrival. Before the current version of § 1225 was enacted, under the entry doctrine, inadmissible noncitizens who successfully evaded apprehension and gained entry enjoyed greater rights than those who were found inadmissible after appearing for inspection. *Torres v. Barr*, 976 F.3d 918, 928 (9th Cir. 2020) (en banc) (explaining history of § 1225), *declined to extend by United States v. Gambino-Ruiz*, 91 F.4th 981 (9th Cir. 2024). But Congress did away with the distinction by, among other changes, deeming both categories to be treated as applicants for admission in § 1225(a) and treating them similarly in § 1225(b). Interpreting § 1225(b) to turn on physical entry rather than lawful admission after inspection would reinvigorate the entry doctrine, contrary to Congress's legislative efforts.

Third, Petitioner's approach contradicts the structure of the statute, both within § 1225 itself and between § 1225 and § 1226. Section 1225(b) divides applicants for admission between two subparagraphs: (b)(1) for those applicants for admission who are

arriving, and (b)(2) for "other" applicants for admission. Section 1225(b) treats all "applicants for admission"—whether arriving or already present—as mandatory detainees under either (b)(1) or (b)(2), unlike admitted noncitizens who are subject to discretionary detention and allowed bond under § 1226.

Based on § 1225's plain text, context, and structure, the Court should hold Petitioner is properly subject to mandatory detention under § 1225(b)(2).

III. Petitioner is not Entitled to Relief Under Bautista

Petitioner asserts entitlement to relief as a *Bautista* Class member. *See Pet.* at ¶¶ 26; 37; 47. This Court should deny that claim since Petitioner failed to state a reason why it deems himself member of the Class. 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.").

IV. Remedy

Respondent very respectfully request this Court dismisses this cause for improper venue or transfer it to the District of New Mexico. If the Court determines that Petitioner is detained under § 1226(a) and not under § 1225(b)(2), then the appropriate remedy is to order a custody redetermination hearing instead of immediate release. That approach would "comport[] with the general rule that 'the scope of injunctive relief is dictated by the extent of the violation established' and should be 'no more burdensome to the defendant than necessary to provide complete relief to the plaintiff.'" *Fuentes v. Olson*, 2025 WL 3524455, at *5 (D. Minn. Dec. 9, 2025) (alterations omitted) (quoting *Nebraska v. Biden*, 52 F.4th 1044, 1048 (8th Cir. 2022)); *see also Trump v. CASA, Inc.*, 606 U.S. 831, 861 (2025) (staying preliminary injunctions "to the extent that the injunctions are broader than necessary to provide complete relief to each plaintiff with standing to sue"). The result of this rule is that "[m]ost courts confronting claims analogous to" those raised by Petitioner "order a bond hearing, not immediate release, as a remedy." *Fuentes*, 2025 WL 3524455, at *5 (collecting authority). Petitioner should not obtain a different outcome here.

V. Evidentiary Hearing

Finally, the Federal Respondents believe that the Court can rule on this petition without holding an evidentiary hearing. The facts are not likely to be disputed, and the only issues before the Court are ones of legal interpretation that are capable of resolution on the parties' submissions.

CONCLUSION

For the reasons discussed above, the Federal Respondents respectfully request that the Court deny this habeas petition.

Dated: February 2, 2026

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