

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-00786-MJD-ECW

IBSA YUSSUF,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

**UNOPPOSED MOTION FOR
RELEASE OF PETITIONER
AND FOR DISMISSAL OF
HABEAS PETITION
WITHOUT PREJUDICE**

Federal Respondents hereby move the Court for an order dismissing this habeas petition without prejudice and remanding the matter to United States Immigration and Customs Enforcement for the immediate release of Petitioner on an order of supervision with conditions pursuant to ICE's regulations, 8 C.F.R. § 241.5.

As the Petition, *see* ECF 1, reflects, Petitioner is an unadjusted refugee who has been determined to be a member of the subclass granted immediate relief under *U.H.A et. al cv Bondi et. al.*

Based on the facts currently available to undersigned counsel, as informed by case law, *see, e.g., Sarail A. v. Bondi*, No. 25-CV-2144 (ECT/JFD), 2025 WL 2533673 (D. Minn. Sept. 3, 2025), release is currently appropriate. Federal Respondents therefore respectfully request an order remanding this matter to ICE for the immediate release of Petitioner on an order of supervision with conditions.

For the foregoing reasons respondents seek an order of this Court:

(1) dismissing the case without prejudice;

(2) remanding the matter to ICE for the immediate release of Petitioner on an order of supervision with conditions pursuant to ICE's regulations, 8 C.F.R. § 241.5; and

(3) stating that each party shall bear its own costs, disbursements, and attorney's fees.

By way of explanation, and not of excuse, Respondent also offers the following information. The Agency has represented it is aware that Petitioner needs to be returned to Minnesota immediately, and it is working on making arrangements for Petitioner to return on a flight either today, Saturday, 31 January 2026, or Monday, 2 February 2026. This delay is not willful disregard for this Court order nor an oversight on the part of the Agency. However, logistical constraints have limited the Agency's ability to comply with the Order within the timeframe. The undersigned counsel very respectfully requests this Court allows until 3 February at 5:00 PM to update the Court on Petitioner's transport to Minnesota and subsequent release.

Dated: January 31, 2026

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