

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

Richard Alceves Arevalo Seijas,

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

Ryan Shea, Sheriff of Freeborn County.

Respondents.

Case No. 26-cv-00902-SRB-JFD

**PETITIONER'S EMERGENCY  
MOTION TO SHOW CAUSE**

Expedited Handling Requested

Petitioner Richard Alceves Arevalo Seijas (“Mr. Arevalo Seijas”), by and through the undersigned attorney, seeks emergency relief for Respondents’ continued violations of the Orders issued in this District. Mr. Arevalo Seijas 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 February 4, 2026. *See* ECF No 5 and 6. On February 4, this Court ordered Respondents to “immediately return Richard A to Minnesota if he has been transferred out of state, and immediately upon his return release him from detention with all of his items and belongings.” ECF No 5. Respondents were also ordered to notify the Court and opposing counsel within 24 hours of Petitioner’s release.

On the afternoon of February 6, 2026, Petitioner's counsel attempted to call Respondents to confirm Petitioner's release. Respondents did not answer the phone, despite Petitioner calling eight times. Kelley affidavit ¶¶ 2-3.

On February 8, 2026, Petitioner's sister learned that Petitioner was still in Freeborn County, and had been given no information from guards or immigration officers as to whether or when he would be released. *Id.* at ¶7. On the morning of February 9, 2026, the undersigned counsel confirmed with Petitioner's sister that she had no news or updates of her brother's release. *Id.* at ¶8. Counsel looked Petitioner up by his A number and country of origin on the ICE Detainee Locator, and found no results. *Id.* Counsel sent an email at 11:20 a.m. Attorney Matthew Isihara for the federal Respondents in this case, as well as to the St. Paul ERO/ICE field office and the BLM Duty Attorney office, inquiring as to the whereabouts of Petitioner, but as of the time of this filing received no response. *Id.* at ¶¶ 8-9.

On February 4, 2026, this Court granted Mr. Arevalo Seijas's Petition for Writ of Habeas Corpus. ECF No. 5. The Court ordered Respondents to release Mr. Arevalo Seijas from custody "immediately" and to provide Petitioner's counsel with an update upon release. *Id.* It has now been five days since this Court order was entered, and Petitioner has not been reunited with his family, nor has Respondents' counsel provided any updates to counsel.

As of the time of filing this Motion, neither the undersigned counsel nor Mr. Arevalo Seijas's loved ones know where Mr. Arevalo Seijas is located. Given the concerning events in related cases, counsel is alarmed that Mr. Arevalo Seijas has been

detained in violation of this order for immediate release, and was not even informed that this order exists. Respondents on other occasions have been found to pressure detained individuals to deport, based on representations that they have no chance of being released, notwithstanding that there are federal court orders for their release in place in that moment—that the detained individuals are completely unaware of. See, e.g., *The Advocates for Human Rights et al. v. U.S. Department of Homeland Security et al.*, Case No. 26-cv-749 (NEB/DLM) at Doc. No. 67.

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’ violations of this Court’s February 4, 2026 order adds just one more violation to that long, and growing, list. At this point, petitioners’ counsel are left to wonder whether incompetence is enough of an excuse for Respondents’ behavior and whether, instead, Respondents are intentionally disregarding the orders of the Courts of this District.

Mr. Arevalo Seijas 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. Arevalo Seijas of his constitutional 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 emergency basis because Respondents' practices make clear that each passing hour risks additional evasive action that may irreparably impair Mr. Arevalo Seijas's ability to assert his Due Process rights.

Date: Feb. 9, 2026

/s/ Kira A. Kelley

Kira A. Kelley, Esq.  
P.O. Box 7040  
Minneapolis, MN 55407  
MN Bar ID: 402932  
kira@climatedefenseproject.org  
(802) 683-4086

*Attorney for Petitioner*