

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 26-cv-00917-DWF-SGE

Caryelis B.B.B.,

Petitioner,

v.

**FEDERAL RESPONDENTS'  
RESPONSE TO PETITION FOR  
WRIT OF HABEAS CORPUS**

Pamela Bondi, *et al.*,

Respondents.

Petitioner filed this petition for a writ of habeas corpus to secure a bond hearing in connection with Petitioner's detention by the U.S. Immigration and Customs Enforcement. The Federal Respondents acknowledge that this petition raises legal and factual issues similar to those in prior habeas petitions this Court has decided. *See* Dkt. 3, at 2.

The Federal Respondents write only to address the allegation in the Petition that Ms. B.B.B. has active Temporary Protected Status ("TPS"). *E.g.*, Pet. ¶ 13. The agency's documentation shows that Petitioner's TPS has long expired. Declaration of Ana H. Voss, Ex. 1. As that notification states, TPS, even when active, is only temporary protection from removal, and the beneficiaries must re-register to maintain that protection. *Id.* Thus, Petitioner's prior TPS is not a barrier to her arrest and the commencement and adjudication of removal proceedings against her. During that time, as set forward below, she is in mandatory custody under 8 U.S.C. § 1225.

The Federal Respondents also acknowledge that many judges in this District conclude the absence of a warrant preceding a petitioner's arrest necessitates immediate release. *See id.* Those issues are currently before the Eighth Circuit on expedited review in

*Avila v. Bondi*, No. 25-3248 (8th Cir. docketed Nov. 10, 2025). For purposes of expediting these proceedings, the Federal Respondents assert all arguments raised by the government in *Avila*, preserve those arguments for any appeal in this case, and respectfully request that the Court deny Petitioner's habeas petition. If the Court grants relief, the United States respectfully submits that the right relief is an order for a bond hearing under 1226(a) in immigration court.

Dated: February 3, 2026

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s/ Ana H. Voss

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