

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Civil No. 0:26-cv-00625-DMT-EMB

Luis Humberto Pilatuna Gualoto,

Petitioner,

v.

Pamela Bondi, et al.,

Respondents.

**SUPPLEMENTAL  
RESPONSE TO PETITION  
FOR WRIT OF HABEAS  
CORPUS**

Petitioner

By order dated January 29, 2026, ECF No. 6, the Court ordered Respondents to submit by Noon, Friday, January 30, 2026, additional “information relating to the Petitioner’s detention location at the time the Petition was filed [on January 26, 2026].” Respondents submit this supplemental response to the petition supported by the Declaration of Angela Minner (“Minner Decl.”) filed herewith. For the reasons stated previously herein and below, the Court should deny Petitioner’s request for habeas relief because Petitioner indisputably was detained in Texas on the date the petition was filed. Specifically, Petitioner was detained in the South Texas ICE Processing Center on January 26, 2026, the date the petition was filed. Minner Decl., ¶¶ 10, 11. Therefore, this Court never obtained subject matter jurisdiction over this habeas case. The Court should dismiss the petition or transfer it to the Western District of Texas, as argued in Respondents’ response filed previously. *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004); see, e.g., *Fisenko K. v. Ray*, No. 25-cv-4654-PJS-DLM, ECF No. 17 (D. Minn. order filed Dec. 17, 2025); *Garcia v. London*, 2025 U.S. Dist. LEXIS 261751, at \*3 (D. Neb. Dec. 10, 2025). Because

this is a jurisdictional defect, *see Padilla*, 542 U.S. at 442. Since this petition in this case was filed on January 26, 2026, at a date and time when Petitioner was detained in Texas, this Court should dismiss the petition for lack of subject matter jurisdiction, 28 U.S.C. § 1406(a); Fed. R. Civ. P. 12(b)(1). In alternative, the Court may transfer the petition to the Western District of Texas. 28 U.S.C. § 1406(a).

Dated: January 30, 2026

DANIEL N. ROSEN  
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*s/ Friedrich A. P. Siekert*

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