

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
CASE# 26-CV-01577 MJD-LIB
April 6 2026

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CLERK, U.S. DISTRICT COURT
MINNEAPOLIS, MINNESOTA

Gerardo Sanchez-Acuna

Petitioner

V.

Sherburne County Sheriff

ICE Field Office Director

U.S. Immigration & Customs Enforcement

Respondents

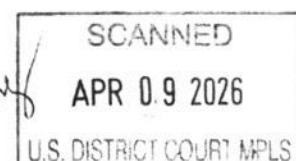
**PETITIONER'S MOTION TO
GRANT HABEAS PETITION**

Petitioner Moves this Court to Grant his Habeas Petition based on the Respondent's malicious, frivolous and deliberate violation of petitioner's Procedural Due Process Rights.

On March 11, 2026 Honorable United States Magistrate Judge Leo Brisbois directed Respondents to file a response to Petitioner's Habeas petition, within 14 days of the Judge's order, on or before March 25 and allowing Petitioner to file a reply 7 days of when the response is filed.

Respondents filed a timely response on March 25, knowing that Petitioner is not an ECF filer Respondents failed to file a Certificate Of Service and/or mail petitioner a paper copy in violation of FRAP 25.

After petitioner did not receive his copy 5 days from Respondent's deadline, Petitioner requested this Court for an enlargement of time, under the impression that Respondent's response would be arriving in the mail. Even after putting Respondents on notice of their violation of FRAP 25, Respondents did not remedy such violation making such violation malicious, frivolous and deliberate.



Petitioner asked the Court's clerk to mail him a copy on Monday March 30 2026, but defendant did not receive a copy.

Enlarging Petitioner's deadline to reply one more time would prejudice Petitioner's pending filings on his unrelated Federal Appeal Proceedings. See [26-1166 GerardoSanchez-Acuna V. Warden, FCI Sandstone] and [26-1240 GerardoSanchez-Acuna V. United States of America].

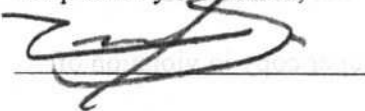
If Petitioner received the response in the mail even today, it would be unjust and unfair leaving Petitioner only one day to prepare a reply and mail it out.

THIS IS NOT A REPLY TO RESPONDENT'S RESPONSE.

Due to the fact that Petitioner never received a copy of the response it is impossible to reply to a response he has not received as of today 2 days before Petitioner's enlarged deadline.

For the reasons mentioned above the Court should grant this Motion.

Respectfully submitted,



Gerardo Sanchez-Acuna

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Sherburne County Jail
13880 Business Center Dr. NW
Elk River MN 55330