

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

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Jaime Rojas Sandoval,

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  
Eric Tollefson, Sheriff of Kandiyohi  
County,

Respondents.

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0:26-cv-01693-JMG-DTS

**FEDERAL RESPONDENTS'  
OPPOSITION TO PETITIONER'S  
MOTION TO ALTER OR AMEND  
JUDGMENT**

**I. Introduction**

Respondents respectfully submit this opposition to Petitioner Jaime Rojas Sandoval's Motion to Alter or Amend the Court's March 4, 2026, Judgment pursuant to Federal Rule of Civil Procedure 59(e). Petitioner asks this Court to reverse its considered judgment ordering a bond hearing and to instead order his immediate, unconditional release based on arguments concerning 8 U.S.C. § 1226(a) and administrative warrant delays. Doc. 8, at 1–2.

Petitioner's motion must be denied. Not only does it fail to meet the strict legal standard governing Rule 59(e) motions, but subsequent factual developments in Petitioner's immigration proceedings have rendered the motion entirely moot. On

March 5, 2026, Petitioner became subject to an administrative final order of removal. Consequently, his detention is no longer governed by the pre-final order framework of 8 U.S.C. § 1226(a). It is now governed by the mandatory post-final order framework of 8 U.S.C. § 1231(a).

## **II. Factual Update: Final Order of Removal**

Attached hereto as Exhibit A is the Declaration of Deportation Officer Christopher A. Campbell, along with the corresponding Immigration Court records. On the morning of March 5, 2026, during proceedings before the Immigration Court, Petitioner voluntarily requested the entry of a removal order and explicitly waived his right to appeal. Campbell Decl. ¶ 5. As a result of this waiver, Petitioner's order of removal became administratively final immediately upon issuance. *Id.* ¶ 6.

## **III. Argument**

### **A. Petitioner's Motion Is Moot Because His Detention Is Now Mandated by 8 U.S.C. § 1231.**

Due to the finality of the removal order, Petitioner's detention is no longer governed by the discretionary pre-final order provisions of 8 U.S.C. § 1226(a) addressed in this Court's March 4, 2026, Judgment, Doc. 7. Instead, Petitioner is legally subject to mandatory detention under the post-final order provisions of 8 U.S.C. § 1231(a).

During the 90-day "removal period" following an administratively final order of removal, the government "shall detain the alien." 8 U.S.C. § 1231(a)(2). This detention

is absolute and statutorily mandatory. Because Petitioner is now detained under § 1231, his Rule 59(e) arguments regarding the proper remedy for an alleged § 1226(a) violation—including his complaints about delayed warrants and the 48-hour rule—are legally irrelevant to his current confinement. *See* Doc. 8, at 2, 4.

Furthermore, an immigration judge lacks jurisdiction to hold a bond hearing or grant bond to a noncitizen detained under § 1231. *See Johnson v. Guzman Chavez*, 594 U.S. 523, 526 (2021) (holding that 8 U.S.C. § 1231 governs the detention of noncitizens subject to reinstated removal orders, "meaning those aliens are not entitled to a bond hearing," a statutory mandate that applies equally to Petitioner's initial administratively final order). Therefore, the Court's March 4, 2026, order directing the government to provide a § 1226(a) bond hearing by March 11 cannot be effectuated and should be vacated as moot.

#### **B. Petitioner Fails to Meet the Strict Standard of Rule 59(e).**

Even assuming *arguendo* that the motion was not moot, it fails on the merits. Rule 59(e) motions "serve the limited function of correcting 'manifest errors of law or fact or to present newly discovered evidence.'" *United States v. Metro. St. Louis Sewer Dist.*, 440 F.3d 930, 933 (8th Cir. 2006) (citation omitted). "Such motions cannot be used to introduce new evidence, tender new legal theories, or raise arguments which could have been offered or raised prior to entry of judgment." *Id.* (citation omitted).

Petitioner's motion does not identify a manifest error of law. Rather, Petitioner simply disagrees with the equitable remedy this Court initially selected. In its Order

conditionally granting the petition, this Court explicitly evaluated the remedial options and "elect[ed] to order a bond hearing." Doc. 6, at 1-2. A Rule 59(e) motion is not the proper vehicle to relitigate remedial preferences that the Court has already weighed and decided.

### **C. A Bond Hearing Was the Legally Appropriate Remedy Under § 1226(a).**

Petitioner relies on recent District of Minnesota cases to argue that a delayed administrative warrant categorically mandates immediate release. Doc. 8, at 2.

However, this Court already recognized that the jurisprudence on this issue is not uniform. The Court explicitly declined to follow those cases and instead adopted the reasoning in *Salazar v. Noem*, Doc. 6, at 2, which acknowledges that ambiguities or delays in the timing of a warrant's service do not categorically merit the drastic windfall of outright release. Because a valid warrant existed prospectively in the record, the statutory prerequisite for § 1226(a) was met, and a bond hearing was the commensurate remedy.

### **D. The 48-Hour Rule Does Not Mandate Immediate Release.**

Petitioner attempts to introduce a novel argument regarding the 48-hour rule, asserting that "the warrant in this case was issued on February 20, more than 48 hours after Petitioner's unlawful arrest on February 15." Doc. 8, at 4. As a threshold matter, this argument is improperly raised for the first time in a Rule 59(e) motion. Under Eighth Circuit precedent, Rule 59(e) cannot be used to raise arguments that "could have been offered or raised prior to entry of judgment." *Metro. St. Louis Sewer Dist.*,

440 F.3d at 933.

Furthermore, the regulation Petitioner relies on explicitly provides an exception to the 48-hour rule "in the event of an emergency or other extraordinary circumstance." 8 C.F.R. § 287.3(d). Regardless of the specific factual circumstances surrounding the timing of the warrant, an agency's failure to strictly comply with a regulatory deadline does not automatically strip the agency of its underlying statutory authority to detain a removable alien.

#### **IV. Conclusion**

For the foregoing reasons, Federal Respondents respectfully request that the Court deny Petitioner's Motion to Alter or Amend Judgment. Additionally, in light of Petitioner's final order of removal, Respondents respectfully request that the Court vacate its March 4, 2026, Judgment ordering a bond hearing, as Petitioner is now subject to mandatory detention without bond under 8 U.S.C. § 1231(a).

Dated this 6th day of March 2026.

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