

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 0:26-cv-02281-JRT-LIB

Axel Javier Martin Castillo,

Petitioner,

v.

Mike Staski, *et al.*,¹

Respondents.

**RESPONDENTS' RESPONSE TO
PETITIONER'S MOTION FOR
ORDER DIRECTING
REDACTION**

Respondents respectfully submit this response to Petitioner's Motion for Order Directing Redaction. Petitioner asks the Court to order Respondents to redact and refile exhibits submitted with Respondents' response, asserting that the filings violate Federal Rule of Civil Procedure 5.2(a), Local Rule 5.6, and juvenile-record confidentiality principles. Pet'r's Mot. 1–4. Petitioner specifically identifies Respondents' exhibits filed at ECF Nos. 6-1 through 6-8 and asserts that Exhibit 6-4 contains an unredacted juvenile delinquency adjudication record.

Respondents do not agree that their filing violates Federal Rule of Civil Procedure 5.2. This is an immigration habeas matter relating to Petitioner's immigration detention. Rule 5.2(c) expressly governs "an action or proceeding relating to an order of removal, to relief from removal, or to immigration benefits or detention," and limits remote electronic access to the case file in such matters. Fed. R. Civ. P. 5.2(c). Under Rule 5.2(c), parties and their attorneys may remotely access the case file, but nonparties may remotely access only

¹ The Department of Justice represents only federal employees in this action.

the docket and the Court's written dispositions, not the full case file or administrative record. Fed. R. Civ. P. 5.2(c)(1)–(2). Rule 5.2(b) further provides that the redaction requirement does not apply to “a filing covered by Rule 5.2(c) or (d).” Fed. R. Civ. P. 5.2(b)(5). The Advisory Committee Notes confirm that immigration cases receive this special treatment because of the prevalence of sensitive information and that remote electronic access by nonparties is limited to the docket and written dispositions unless the Court orders otherwise.

For that reason, Respondents' position is that the exhibits were filed within the framework Rule 5.2 itself provides for immigration detention cases. Petitioner's motion treats Rule 5.2(a)'s general redaction rule as controlling, but Rule 5.2(c), together with Rule 5.2(b)(5), supplies the more specific rule for immigration detention proceedings. The rule therefore does not require redaction of the challenged exhibits in the same manner as ordinary civil filings accessible remotely by the public. See Fed. R. Civ. P. 5.2(b)(5), (c).

Nor does Local Rule 5.6 independently establish a violation. Local Rule 5.6 does not itself require a party to file any document under seal; rather, it sets out the procedure to be followed when a party seeks to file under seal. D. Minn. LR 5.6(a)(1)–(3). The Local Rule also recognizes that sealing may be appropriate when information is “otherwise entitled to protection from disclosure under a statute, rule, order, or other legal authority.” D. Minn. LR 5.6(c)(3).

That said, Respondents do not object if the Court determines, in the exercise of its discretion, that any individual exhibit or document should be placed under seal. Rule 5.2(d) expressly permits the Court to order that a filing be made under seal without redaction, and

Rule 5.2(e) permits the Court, for good cause, to require additional redaction or limit access to a document. Fed. R. Civ. P. 5.2(d)–(e). Accordingly, although Respondents do not concede that the challenged filings violated Rule 5.2, Respondents do not oppose entry of an order placing any specific document identified by the Court under seal.

Accordingly, Respondents respectfully submit that no corrective order is required on the basis of a Rule 5.2 violation. To the extent the Court concludes that additional protection is appropriate for any particular exhibit, however, Respondents do not object to targeted sealing of that document pursuant to Rule 5.2(d), Rule 5.2(e), or Local Rule 5.6.

Dated: April 24, 2026

DANIEL N. ROSEN
United States Attorney

s/ JOSHUA B. SWEENEY
By: JOSHUA B. SWEENEY
Special Assistant U.S. Attorney
Attorney ID Number CA 318579
600 U.S. Courthouse
300 South 4th Street
Minneapolis, MN 55415
(612) 664-5600
joshua.sweeney@usdoj.gov