

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA

Victor Hugo D. P. v. Olson

Victor Hugo D. P. · No. 25-cv-4593 (LMP/DTS) · Decided December 19, 2025

SUMMARY

The United States District Court for the District of Minnesota granted Victor Hugo D. P.’s petition for a writ of habeas corpus. The court held that 8 U.S.C. § 1226(a), rather than the mandatory-detention provision in 8 U.S.C. § 1225(b)(2), governed his detention and ordered the Government to provide a bond hearing within seven days. The court denied his motion for a temporary restraining order as moot.

CASE DETAILS

COURT	United States District Court for the District of Minnesota
WRITING FOR THE COURT	Laura M. Provinzino
JURISDICTION	United States District Court for the District of Minnesota
DECIDED	December 19, 2025
DOCKET	25-cv-4593 (LMP/DTS)
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus challenging immigration detention and denial of a bond hearing under the Immigration and Nationality Act, accompanied by a motion for a temporary restraining order. The court decided the petition on the papers.
STANDARD OF REVIEW	The court reviewed the statutory detention issue in the context of a federal habeas petition; the opinion does not expressly identify a formal standard of review.
PRECEDENTIAL VALUE	Unpublished federal district court order; persuasive rather than binding outside the case.
PARTIES	Victor Hugo D. P. v. Samuel J. Olson, Field Office Director of Enforcement and Removal Operations, St. Paul Field Office, Immigration and Customs Enforcement, Kristi Noem, in her official capacity as Secretary of the U.S. Department of Homeland Security, Todd Lyons, in his official capacity as acting director of U.S. Immigration and Customs Enforcement, Pam Bondi, in her official

capacity as Attorney General of the United States, Joel Brott,
Sherburne County Sheriff

TOPICS

federal habeas corpus

immigration detention

statutory interpretation

plain meaning rule

PRACTICE AREAS

immigration detention

federal habeas corpus

administrative law

statutory interpretation

QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1225(b)(2) or 8 U.S.C. § 1226(a) governed Victor Hugo D. P.'s detention.
2. Whether Victor Hugo D. P. was entitled to a bond hearing before an immigration judge.
3. Whether immediate release was warranted rather than an order requiring the Government to provide a bond hearing.

HOLDINGS

1. Section 1226(a), rather than § 1225(b)(2), applies to Victor Hugo D. P.'s detention because he was already in the United States and was not seeking physical entry at the time of his arrest.
2. Victor Hugo D. P. was entitled to a bond hearing before an immigration judge in accordance with 8 U.S.C. § 1226(a).
3. Immediate release was not warranted because Victor Hugo D. P. had not shown that his detention was illegal per se; the proper relief was a bond hearing.

KEY QUOTATIONS

“To be subject to mandatory detention under Section 1225(b)(2), a noncitizen must have been “seeking admission” at the time of his arrest.” (Analysis)

“Accordingly, to be “seeking admission,” one must be presently seeking “entry”; that is, “coming from outside” into the United States.” (Analysis)

FACTUAL BACKGROUND

Victor Hugo D. P., a Mexican citizen, had lived in the United States for nearly twenty years without lawful status and had no prior contact with ICE or criminal history. ICE arrested him on November 18, 2025, and detained him pending removal proceedings. After an immigration judge denied his motion for a bond hearing under 8 U.S.C. § 1226(a), Victor Hugo D. P. sought habeas relief, asserting that the mandatory-detention provision in § 1225(b)(2) did not apply because he was already present in the United States and was not seeking physical entry when detained.

PROCEDURAL HISTORY

ICE arrested Victor Hugo D. P. on November 18, 2025, and detained him pending removal proceedings. An immigration judge denied his request for a bond hearing, concluding that he was subject to mandatory detention under 8 U.S.C. § 1225(b)(2). Victor Hugo D. P. filed this habeas petition and TRO motion. The district court, relying on its prior decision in *Roberto M. F. v. Olson* and finding no material factual or legal distinction, granted habeas relief and ordered a bond hearing.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

The Government must provide Victor Hugo D. P. with a bond hearing in accordance with 8 U.S.C. § 1226(a) within seven days of December 19, 2025. If it fails to do so, Victor Hugo D. P. must be immediately released. The Government must provide a status update within eight days. The TRO motion was denied as moot.

CASES CITED

- *Matter of Yajure Hurtado*, 29 I&N Dec. 216, 225 (B.I.A. 2025)
- *Roberto M. F. v. Olson*, No. 25-cv-4456 (LMP/ECW), 2025 WL 3524455 (D. Minn. Dec. 9, 2025)
- *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873-SSS-BFM, 2025 WL 3288403, at *4, *9 (C.D. Cal. Nov. 25, 2025)
- *Melgar v. Bondi*, No. 8:25-cv-555, 2025 WL 3496721, at *14 (D. Neb. Dec. 5, 2025)
- *Belsai D. S. v. Bondi*, No. 25-cv-3682 (KMM/EMB), 2025 WL 2802947, at *2, *6 (D. Minn. Oct. 1, 2025)
- *Andres R. E. v. Bondi*, No. 25-cv-3946 (NEB/DLM), 2025 WL 3146312, at *1 (D. Minn. Nov. 4, 2025)
- *United States ex rel. Claussen v. Day*, 279 U.S. 398, 401 (1929)
- *Francisco T. v. Bondi*, No. 25-cv-3219 (JMB/DTS), 2025 WL 2629839, at *3 (D. Minn. Aug. 29, 2025)
- *Romero v. Hyde*, 795 F. Supp. 3d 271, 285 (D. Mass. 2025)
- *Jennings v. Rodriguez*, 583 U.S. 281, 288-89 (2018)
- *Owner-Operator Independent Drivers Ass'n, Inc. v. Supervalu, Inc.*, 651 F.3d 857, 863 (8th Cir. 2011)