

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Minnesota Bureau of Criminal  
Apprehension and Hennepin County  
Attorney's Office,

File No. 26-cv-628 (ECT/DTS)

Plaintiffs,

v.

**ORDER**

Kristi Noem, *in her official capacity as Secretary of the U.S. Department of Homeland Security*; John Condon, *in his official capacity as Acting Executive Associate Director of Homeland Security Investigations*; U.S. Department of Homeland Security; Todd Lyons, *in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement*; Marcos Charles, *in his official capacity as Acting Executive Director, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement*; Rodney Scott, *in his official as Commissioner of U.S. Customs and Border Protection*; U.S. Customs and Border Protection; Gregory Bovino, *in his official capacity as Commander of the U.S. Border Patrol*; U.S. Border Patrol; David Easterwood, *in his official capacity Acting Director, Saint Paul Field Office, U.S. Immigration and Customs Enforcement*; U.S. Immigration and Customs Enforcement; Pamela Bondi, *in her official capacity as Attorney General of the United States*; Kashyap Patel, *in his official capacity as Director of the Federal Bureau of Investigation*,

Defendants.

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Plaintiffs Minnesota Bureau of Criminal Apprehension and Hennepin County Attorney's Office have filed a Complaint, ECF No. 1, and a Motion for a Temporary Restraining Order, ECF No. 2, seeking to enjoin Defendants, their employees, agents, and anyone acting in concert with them from destroying or altering evidence related to the fatal shooting involving federal officers that took place in or around 26th Street and Nicollet Avenue in Minneapolis, Minnesota, on January 24, 2026.

Having reviewed the Complaint, Motion, Memorandum of Law, and other evidence submitted in support of the Motion, and in accordance with Federal Rule of Civil Procedure 65, **IT IS ORDERED THAT** Plaintiffs' Motion for a Temporary Restraining Order [ECF No. 2] is **GRANTED** as follows:

1. Defendants, together with their employees, agents, and anyone acting in concert with them, are **ENJOINED** from destroying or altering evidence related to the fatal shooting involving federal officers that took place in or around 26th Street and Nicollet Avenue in Minneapolis on January 24, 2026, including but not limited to evidence that Defendants and those working on their behalf removed from the scene and/or evidence that Defendants have taken into their exclusive custody.

2. Plaintiffs shall serve Defendants with a copy of their Motion, all supporting papers, and this Order by not later than **Sunday, January 25, 2026, at 9:00 a.m.**

3. A hearing will be held in Courtroom 7D of the Warren E. Burger Federal Building and United States Courthouse, 316 N. Robert Street, St. Paul, Minnesota 55101, on **Monday, January 26, 2026, at 2:00 p.m.** regarding any objections Defendants may have to this Order's entry and whether this Order should remain in effect.

4. If Defendants wish to file any response or objections to Plaintiffs' Motion or this Order, such response or objections shall be filed by not later than **Monday, January 26, 2026, at 12:00 p.m.**

5. The Court, in its discretion, waives the requirement for Plaintiffs to post bond under Federal Rule of Civil Procedure Rule 65(c).

Dated: January 24, 2026

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court