

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

JOAQUIN HERRERA AVILA,

Civil No. 25-3741 (JRT/SGE)

Petitioner,

v.

TODD BLANCHE, *U.S. Attorney General*;
MARKWAYNE MULLIN, *Secretary, U.S.
Department of Homeland Security*; DAVID
J. VENTURELLA, *Acting Director of
Immigration and Customs Enforcement*;
SIRCE OWEN, *Acting Director for Executive
Office for Immigration Review*; PETER
BERG, *Director, Fort Snelling Field Office,
Immigration and Customs Enforcement*;
DAVID EASTERWOOD, *Acting Director, St.
Paul Field Office Immigration and Customs
Enforcement*; RYAN SHEA, *Sheriff of
Freeborn County*; IMMIGRATION AND
CUSTOMS ENFORCEMENT; EXECUTIVE
OFFICE FOR IMMIGRATION REVIEW; and
U.S. DEPARTMENT OF HOMELAND
SECURITY,

ORDER

Respondents.¹

On September 23, 2025, Petitioner Joaquin Herrera Avila filed a Verified Petition for Writ of Habeas Corpus, in which he challenged the lawfulness of his detention by

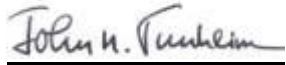
¹ Todd Blanche, Markwayne Mullin, David J. Venturella, and David Easterwood are hereby substituted as Defendants under Federal Rule of Civil Procedure 25(d).

immigration officials. (Docket No. 1.) On October 21, 2025, the Court granted his habeas petition to the extent that he sought an order requiring Respondents to provide him a bond hearing before an immigration judge under 8 U.S.C. § 1226(a). (Docket No. 14.) Consistent with the Court's order, Petitioner was provided with a bond hearing in which he was released on a \$7,500 bond. (Docket No. 16.) Respondents appealed the Court's order granting Avila's petition. (Docket No. 18.) On March 25, 2026, the Eighth Circuit reversed—concluding the Avila was subject to mandatory detention under 8 U.S.C. §1225(b)(2)(A) and remanded the case “for further proceedings consistent with this opinion.” *Avila v. Bondi*, 170 F.4th 1128, 1138 (8th Cir. 2026). To that end, the Court will direct the parties to meet and confer and submit a letter within **14 days** of this Order advising the Court of any additional proceedings that will be necessary and setting forth any proposals regarding the scope of further litigation.

ORDER

Based on the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that the parties shall meet and confer and submit a letter to the Court within **14 days** of this Order advising the Court of any additional proceedings that are necessary and setting forth any proposals regarding the scope of further litigation.

DATED: August 13, 2026
at Minneapolis, Minnesota.


JOHN R. TUNHEIM
United States District Judge