

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Elvis Joel T.E. and C.R.T.V.,

No. 26-561 (KMM/JFD)

Petitioners,

v.

ORDER

Bondi, et al.,

Respondents.

This matter is before the Court on Petitioners Elvis Joel T.E. and C.R.T.V.’s Emergency Petition for a Writ of Habeas Corpus. For the reasons set forth below, the Court grants an emergency injunction and orders the immediate release of C.R.T.V.

Petitioner C.R.T.V. is Petitioner Elvis Joel T.E.’s infant daughter. [Dkt. 1 at 5.] C.R.T.V. is a citizen of Ecuador who has lived in Minneapolis, Minnesota “since her arrival in the United States as a newborn.” [*Id.* at 4.] She has a pending asylum application and does not have a final order of removal. [*Id.* at 5.] Needless to say, she has no criminal history. According to the Petition, C.R.T.V. was arrested and detained during a warrantless traffic stop on January 22, 2026. [*Id.*] According to the Petition,¹ C.R.T.V. is being held in ICE custody at the Whipple Federal Building in Minneapolis, Minnesota. [*Id.* at 6.]

Earlier this evening, the Court set an expedited schedule for a response to the Petition. However, upon further review, the Court finds that immediate release of the infant child is required while the Court reviews the remaining issues in this case. The Court finds that the risk of irreparable harm to maintain child in custody under the circumstances

¹ Respondents have not had a full opportunity to review or contest the allegations in the Petition. The Court is granting this relief as a temporary restraining order due to the irreparable harm potentially caused by the detention of a two-year-old. The veracity of the allegations surrounding the arrest of the infant and her father can be further explored once the infant is released to the custody of her mother.

described in the pleadings are overwhelming, and the likelihood of success on the merits of the habeas petition is high.

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondents shall release C.R.T.V. to the custody of her attorney, Kira Kelley, who has signed a notarized Delegation of Parental Authority pursuant to Minn. Stat. Sect. 524.5-211 with C.R.T.V.'s mother and custodial guardian, transferring custody temporarily to Attorney Kelley for the purpose of retrieving the infant from immigration detention.
2. No security is required under Federal Rule of Civil Procedure 65(c). The request seeks only to prevent ongoing statutory and constitutional violations; Petitioner is detained and unable to post a bond; and the relief ordered here—maintaining the status quo—presents no apparent risk of monetary loss to the Government.
3. This injunctive Order shall remain in effect for the duration of these proceedings, unless extended by further court order under Federal Rule of Civil Procedure 65(b)(2).
4. Respondents must release C.R.T.V. to Ms. Kelley by 9:30 p.m. today. Respondents must notify the Court as soon as the infant is released.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: January 22, 2026

s/Katherine M. Menendez

Katherine M. Menendez
United States District Judge