

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

MAHMOUD MOHAMMED MOHAMME
ELGENDY,

Petitioner,

vs.

PAMELA BONDI, Attorney General; KRISTI NOEM, Secretary of the U.S. Department of Homeland Security; U.S. DEPARTMENT OF HOMELAND SECURITY; TODD M. LYONS, Acting Director of Immigration and Customs Enforcement; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; and DAVID EASTERWOOD, Acting Director of St. Paul Field Office, U.S. Immigration and Customs Enforcement, in their official capacities,

Respondents.

Case No. 0:26-cv-00646-SHL-SGE

**ORDER GRANTING MOTION FOR
ADDITIONAL RELIEF**

On January 29, 2026, the Court granted Petitioner's Petition for Writ of Habeas Corpus and ordered that he be immediately released from custody. (ECF 17.) The Court's Order granting Petitioner's release was unconditional; that is, the Court's Order did not impose conditions of release and did not authorize Respondents to impose conditions of release. (Id.) By letter dated January 29, 2026, counsel for Respondents confirmed that Petitioner was released on January 28, 2026. (ECF 19.)

On February 5, 2026, Petitioner filed a Motion for Additional Relief. (ECF 23.) Petitioner alleges that Respondents required him, in order to be released from custody, to sign an Order of Release on Recognizance form imposing unlawful conditions of release. He also alleges that Respondents failed to return his work permit, notwithstanding the Court's Order requiring Respondents to release Petitioner "with all of his personal effects," including "immigration papers." (Id.; ECF 17.) Petitioner requests the following additional relief: (1) for the Court to strike from the record the Order of Release on Recognizance form that Respondents required Petitioner to sign prior to his release from custody; (2) that the Court order the immediate return of

Petitioner's work permit; and (3) that the Court grant Petitioner additional time to submit a Motion for Award of Attorneys' fees. (Id.)

IT IS ORDERED THAT:

1. The Order of Release on Recognizance signed by Petitioner on January 28, 2026 (ECF 24-1) is STRIKEN FROM THE RECORD and the conditions of release detailed therein are ORDERED null and void. If Respondents seek to impose new or different conditions on Petitioner's release, they must follow the appropriate pathway for imposing or modifying conditions of release for individuals on release pursuant to 28 U.S.C. § 1226(a).
2. Respondents are ORDERED to return Petitioner's work permit (Employment Authorization Card) to Petitioner immediately.
3. Petitioner's counsel are GRANTED until March 2, 2026, to file a petition for attorneys' fees and costs in accordance with the requirements of the Equal Access to Justice Act, 28 U.S.C. §2412(d).

IT IS SO ORDERED.

Dated: February 9, 2026



STEPHEN H. LOCHER
U.S. DISTRICT JUDGE