

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Carlos Hilario Arias; Vicente Cisneros Abonce, both individually and as “next friend for his minor children, E.C.A., V.C.A., Jr., and J.C.A.; Dulce Maria Hernandez Arias; Rosa De Jesus Barrajas Arrellano; Graciela Barragan, both individually and as “next friend” for her minor child, J.A.P.; Jose Manuel Ramirez Calix; Alejandro Cartagena; William Ramos Castillo; Fabiola Cisneros; Rosa Nely Duarte; Esau Eduardo Estrada-Menendez; L.G., both individually and as “next friend” for her minor child, A.G.; Francis Garcia, both individually and as “next friend” for her minor child, O.B.; Teresa De Jesus Guerrero; Wenscelao Padilla Guzman; Troy Hastings, both individually and as “next friend” for his minor child, B.H.; Joceline Sarai Lopez, both individually and as “next friend” for her minor child, J.M.; Rosa Sorto Lopez; Ana Danira Maldonado-Hernandez; Iris Janet Maldonado, both individually and as “next friend” for her three minor children, P.M., B.M., and E.M.; Jenny Maldonado, both individually and as “next friend” for her minor child, S.D.M.; Ermencia Mendez; Audrey Mithun; Barbara Anahi Moreno; Javier Moreno; Josefa C. Montalvo, both individually and as “next friend” to her minor grandchild, B.M.; Albis Muñoz; Francisco Muñoz, both individually and as “next friend” for one minor child, I.M.; Juan Muñoz; Saomara Muñoz; Manuela De Jesus Pineda; Jaime Reyes, both individually and as “next friend” for his two minor children, D.R.B. and J.R.B.; Marlen Alonso Soriano; Alex Josue Sorto; Andres Mendendez Vega; Raul Veliz, Jr.; Digna Munoz Xiomara; Jorge Zelaya; Samuel Zelaya; and Jose Erasmo Montalvan, the Consul of Honduras, as “next friend” to Honduran Nationals,

Plaintiffs,¹

ORDER

v.

¹ Although certain Plaintiffs have been dismissed from the case, the caption still reflects their status as Plaintiffs.

Civ. No. 07-1959 ADM/JSM

United States Immigration and Customs Enforcement
Division of the Department of Homeland Security;
United States Department of Homeland Security;
Michael Chertoff, Secretary of Department of
Homeland Security; Julie L. Myers, Assistant
Secretary of Homeland Security for Immigration and
Customs Enforcement; John P. Torres, Director of
Detention and Removal Operations, Immigration and
Customs Enforcement; Scott Baniecke, St. Paul Field
Office Director for Detention and Removal Operation;
Peter Berg, Supervisory Detention & Deportation
Officer, Detention and Removal; John Doe ICE Agents
##1-30; James A. Kulset, Willmar Police Department
Chief of Police; John Doe Willmar Police Officers
##1-10; Reed Schmidt, Atwater Police Department
Chief of Police; Paul Schmidt, Atwater Police Officer;
Dan Hartog, Kandiyohi County Sheriff; John Doe
Kandiyohi County Sheriff's Deputies ##1-10; Jane Doe
Kandiyohi County Probation Official,²

Defendants.

Jennifer R. Coates, Esq., Gray Plant, Mooty, Mooty & Bennett, P.A., Minneapolis, MN, argued on behalf of Plaintiffs.

Lonnie F. Bryan, Esq., Assistant United States Attorney, Minneapolis, MN, argued on behalf of Defendants Julie L. Myers, John P. Torres, Scott Baniecke, Peter Berg, Allen Gay, and John Doe ICE Agents ##1-30.

Jon K. Iverson, Esq., Iverson Reuvers, LLC, Bloomington, MN, argued on behalf of James A. Kulset, John Doe Willmar Police Officers ##1-10, Reed Schmidt, and Paul Schmidt.

Ann Goering, Esq., Ratwik, Roszak & Maloney, P.A., Minneapolis, MN, argued on behalf of Dan Hartog, John Doe Kandiyohi Sheriff's Deputies ##1-10, and Jane Doe Kandiyohi County Probation Official.

On June 23, 2009, the undersigned United States District Judge heard oral argument on

² Although certain Defendants have been dismissed from the case, the caption still reflects their status as Defendants.

Defendants Dan Hartog, John Doe Kandiyohi Sheriff's Deputies ##1-10, and Jane Doe Kandiyohi County Probation Official's (the "Kandiyohi Defendants") Motion for Summary Judgment [Docket No. 178]. At the hearing, Plaintiffs agreed to the dismissal of the Kandiyohi Defendants. Accordingly, based upon the foregoing, and all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that Defendants Dan Hartog, John Doe Kandiyohi Sheriff's Deputies ##1-10, and Jane Doe Kandiyohi County Probation Official are **DISMISSED**.

BY THE COURT:

s/Ann D. Montgomery
ANN D. MONTGOMERY
U.S. DISTRICT JUDGE

Dated: June 23, 2009.