

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Chamroeun Phan,

Civil No. 17-432 (DWF/HB)

Petitioner,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Joel Brott, Sherburne County Sheriff,
and Scott Baniecke, Field Office Director,
Immigration and Customs Enforcement,
all individuals being sued in their individual
and official capacity,

Respondents.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Hildy Bowbeer dated September 14, 2017. (Doc. No. 22.) No objections have been filed to that Report and Recommendation in the time period permitted. The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference. Based upon the Report and Recommendation of the Magistrate Judge and upon all of the files, records, and proceedings herein, the Court now makes and enters the following:

ORDER

1. Magistrate Judge Hildy Bowbeer's September 14, 2017 Report and Recommendation (Doc. No. [22]) is **ADOPTED**.

2. The Petition for Habeas Corpus Pursuant to 28 U.S.C. § 2241 (Doc. No. [1]) is **GRANTED**.

3. Motion for Leave to File Evidence in Support of Petition for Habeas Corpus (Doc. No. [21]) is **GRANTED**.

4. This matter is remanded to ICE to allow the agency to establish appropriate conditions for Petitioner's supervised release.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 5, 2017

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge