

United States District Court
Western District of Texas
El Paso Division

Ellis Gilbert Meighan,
Petitioner,

v.

John Veloz, DHS Ice Agent,
Respondent.

No. 3:25-CV-00168-LS

Respondent's Brief Regarding Final Order for Removal

An immigration judge ordered Petitioner removed from the United States on June 23, 2025, in a written order. *See* Ex. A (IJ Order – redacted for asylum confidentiality). The alien has 30 days to file any appeal of the decision with the Board of Immigration Appeals (BIA). *Id.* If the appellate period lapses without any timely notice of appeal having been filed, the removal order will become final as a matter of law. 8 U.S.C. § 1101(a)(47)(B)(i). ICE maintains mandatory detention authority in this case under 8 U.S.C. § 1225(b)(1)(B)(ii) until the conclusion of removal proceedings. *See* ECF No. 3 (Response in Opposition to Habeas Petition); *see also Jennings v. Rodriguez*, 583 U.S. 281, 299 (2018); 8 U.S.C. § 1225(b)(2)(A). ICE cannot execute an order of removal until it is final, and the earliest possible date Petitioner will be considered to have a final order of removal is July 24, 2025, which is the day after the appellate period in this case lapses. Ex. A (IJ Order); 8 U.S.C. § 1101(a)(47)(B)(i). Should Petitioner wish to waive his appellate rights earlier than July 23 to convert the order to a final one, he can do so in writing.

Respectfully submitted,

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By: /s/ Lacy L. McAndrew

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Certificate of Service

I affirm that I caused a copy of this filing to be placed in outgoing mail to Petitioner, who is *pro se*, at the following address:

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/s/ Lacy L. McAndrew
Lacy L. McAndrew
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