

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

NOU XIONG, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendant.

Civil Action No. 4:25-CV-558-O

**EMERGENCY REQUEST FOR PHONE CONFERENCE AND
CLARIFICATION OF TEMPORARY RESTRAINING ORDER**

The government is aware of the temporary restraining order entered in this case to prevent the removal of “V.L.” The government is available for a phone conference now and would respectfully request such a conference to clarify whether removal under authorities other than the Alien Enemies Act (AEA) is permissible. *See A.A.R.P. v. Trump*, --- U.S. ---, 2025 WL 1417281, at *4 (May 16, 2025) (in case where plaintiffs obtained preliminary relief against AEA removals, specifying that the government could nonetheless remove the plaintiffs “under other lawful authorities”). Although petitioner’s filings suggest that the government is attempting an AEA removal of V.L. (and possibly to a prison in El Salvador), that is not the case and V.L. is instead subject to removal under Title 8 pursuant to the attached order of removal from 2018, and the removal destination is Laos. (V.L. was previously convicted of attempted murder in California, as shown in the second attachment.) The government will incur various logistical

difficulties and expenses if the planned removal to Laos cannot be effectuated.

The government therefore requests that the Court enter an emergency modification of its temporary restraining order to allow for V.L.'s removal to Laos under non-AEA authorities. Such a modification would be consistent with the relief sought by petitioner, which was limited to preventing removal under the AEA. (*See* ECF No. 3 at 2.)

Undersigned counsel attempted to contact petitioner's counsel to discuss this matter, but did not receive a response as of the time of filing.

Respectfully submitted,

CHAD E. MEACHAM
ACTING UNITED STATES ATTORNEY

/s/ Brian W. Stoltz

Brian W. Stoltz
Assistant United States Attorney
Texas Bar No. 24060668
1100 Commerce Street, Third Floor
Dallas, Texas 75242-1699
Telephone: 214-659-8626
Facsimile: 214-659-8807
brian.stoltz@usdoj.gov

Attorneys for Defendants

Certificate of Service

On May 26, 2025, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Brian W. Stoltz

Brian W. Stoltz

Assistant United States Attorney

IMMIGRATION COURT
10250 RANCHO RD., SUITE 201A
ADELANTO, CA 92301

In the Matter of

LOR, VANG
Respondent

Case No.: A 
IN REMOVAL PROCEEDINGS

ORDER OF THE IMMIGRATION JUDGE

This is a summary of the oral decision entered on 5/20/16.
This memorandum is solely for the convenience of the parties. If the proceedings should be appealed or reopened, the oral decision will become the official opinion in the case.

- ☒ The respondent was ordered removed from the United States to Laos or in the alternative to .
- ☐ Respondent's application for voluntary departure was denied and respondent was ordered removed to or in the alternative to .
- ☐ Respondent's application for voluntary departure was granted until upon posting a bond in the amount of \$ _____ with an alternate order of removal to .

Respondent's application for:

- ☐ Asylum was () granted () denied () withdrawn.
- ☐ Withholding of removal was () granted () denied () withdrawn.
- ☐ A Waiver under Section _____ was () granted () denied () withdrawn.
- ☐ Cancellation of removal under section 240A(a) was () granted () denied () withdrawn.

Respondent's application for:

- ☐ Cancellation under section 240A(b)(1) was () granted () denied () withdrawn. If granted, it is ordered that the respondent be issued all appropriate documents necessary to give effect to this order.
- ☐ Cancellation under section 240A(b)(2) was () granted () denied () withdrawn. If granted it is ordered that the respondent be issued all appropriated documents necessary to give effect to this order.
- ☐ Adjustment of Status under Section _____ was () granted () denied () withdrawn. If granted it is ordered that the respondent be issued all appropriated documents necessary to give effect to this order.
- ☐ Respondent's application of () withholding of removal () deferral of removal under Article III of the Convention Against Torture was () granted () denied () withdrawn.
- ☐ Respondent's status was rescinded under section 246.
- ☐ Respondent is admitted to the United States as a _____ until _____.
- ☐ As a condition of admission, respondent is to post a \$ _____ bond.
- ☐ Respondent knowingly filed a frivolous asylum application after proper notice.
- ☐ Respondent was advised of the limitation on discretionary relief for failure to appear as ordered in the Immigration Judge's oral decision.
- ☐ Proceedings were terminated.

☒ Other: LIKED TO REMAIN IN THE U.S.
Date: 5/20/16

JOSE L. PENALOSA, JR.
Immigration Judge

Appeal: Waived/Reserved Appeal Due By: 5/20/16

Alien Number: XXXXXXXXXX

Name: LOR, VANG

LIMITATIONS ON DISCRETIONARY RELIEF FOR FAILURE TO APPEAR

- () 1. You have been scheduled for a removal hearing, at the time and place set forth on the attached sheet. Failure to appear for this hearing other than because of exceptional circumstances beyond your control** will result in your being found ineligible for certain forms of relief under the Immigration and Nationality Act (see Section A. below) for a period of ten (10) years after the date of entry of the final order of removal.
- () 2. You have been scheduled for an asylum hearing, at the time and place set forth on the attached notice. Failure to appear for this hearing other than because of exceptional circumstances beyond your control** will result in your being found ineligible for certain forms of relief under the Immigration and Nationality Act (see Section A. Below) for a period of ten (10) years from the date of your scheduled hearing.
- () 3. You have been granted voluntary departure from the United States pursuant to section 240B of the Immigration and Nationality Act, and remaining in the United States beyond the authorized date other than because of exceptional circumstances beyond your control** will result in your being ineligible for certain forms of relief under the Immigration and Nationality Act (see Section A. Below) for ten (10) years from the date of the scheduled departure or the date of unlawful reentry, respectively. Your voluntary departure bond, if any, will also be breached. Additionally, if you fail to voluntarily depart the United States within the time period specified, you shall be subject to a civil penalty of not less than \$1000 and not more than \$5000.
- X 4. An order of removal has been entered against you. If you fail to appear pursuant to a final order of removal at the time and place ordered by the DHS, other than because of exceptional circumstances beyond your control** you will not be eligible for certain forms of relief under the Immigration and Nationality Act (see Section A. below) for ten (10) years after the date you are scheduled to appear.

**the term "exceptional circumstances" refers to circumstances such as serious illness of the alien or death of an immediate relative of the alien, but not including less compelling circumstances.

A. THE FORMS OF RELIEF FROM REMOVAL FOR WHICH YOU WILL BECOME INELIGIBLE ARE:

- 1) Voluntary departure as provided for in section 240B of the Immigration and Nationality Act;
- 2) Cancellation of removal as provided for in section 240A of the Immigration and Nationality Act; and
- 3) Adjustment of status or change of status as provided for in Section 245, 248 or 249 of the Immigration and Nationality Act.

This written notice was provided to the alien in English. Oral notice of the contents of this notice must be given to the alien in his/her native language, or in a language he/she understands by the Immigration Judge.

Date: 3/20/18Immigration Judge: _____ or Court Clerk: [Signature]

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL (M) PERSONAL SERVICE (P)

TO: ☐ ALIEN ☐ ALIEN c/o Custodial Officer ☐ ALIEN's ATT/REP ☒ DHSDATE: 3/20/18 BY: COURT STAFF [Signature]Attachments: ☐ EOIR-33 ☐ EOIR-28 ☐ Legal Services List ☐ Other

U.S. Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

FINS: [REDACTED]

File No: [REDACTED]

DOB: [REDACTED]

Event No: FRE1802000022

In the Matter of:

Respondent: VANG LOR AKA: LOR, VANG; VANG, RICKY; LOR, RICKY

currently residing at:

IN DHS/ICE CUSTODY

10400 Rancho Rd. Adelanto, CA 92301

(Number, street, city and ZIP code)

760-561-6106

(Area code and phone number)

- ☐ 1. You are an arriving alien.
- ☐ 2. You are an alien present in the United States who has not been admitted or paroled.
- ☒ 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

See Continuation Page Made a Part Hereof

RECEIVED
U.S. DEPARTMENT OF JUSTICE
2018 FEB 28 PM 1:25
EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW
IMMIGRATION COURT
ADELANTO, CA

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

null

Section 237(a)(2)(A)(iii) of the Immigration and Nationality Act (Act), as amended, in that, at any time after admission, you have been convicted of an aggravated felony as defined in section 101(a)(43)(A) of the Act, a law relating to Murder, Rape OR Sexual Abuse of a Minor

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30(f)(2) ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

Time and date to be set.

(Complete Address of Immigration Court, including Room Number, if any)

on To be set. at To be set. to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

IAN HERRERA

SDDO

(Signature and Title of Issuing Officer)

Date: February 27, 2018

Adelanto, CA

This Notice to Appear Supersedes the Notice to Appear issued on February 23, 2018 (City and State)

See reverse for important information

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at <http://www.ice.gov/about/dro/contact.htm>. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Before:

(Signature of Respondent)

Date:

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on February 27, 2018, in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- ☒ in person ☐ by certified mail, returned receipt requested ☐ by regular mail
- ☐ Attached is a credible fear worksheet.
- ☒ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the ENGLISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

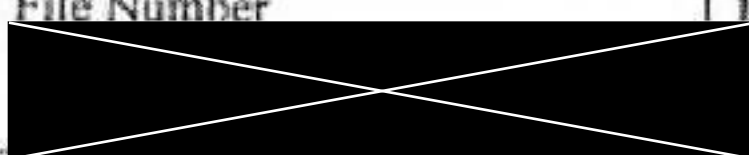
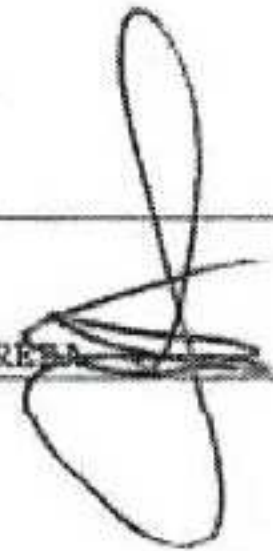
(Signature of Respondent if Personally Served)

A 8827 VERMILLION

(Signature and Title of officer)

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name LOR, VANG	File Number 	Date 02/27/2018
THE SERVICE ALLEGES THAT YOU: ----- 1. You are not a citizen or national of the United States; 2. You are a native of LAOS and a citizen of LAOS; 3. You were admitted to the United States at SAN FRANCISCO, CALIFORNIA on or about December 17, 1987 as a Lawful Permanent Resident. ; 4. You were, on September 25, 1998, convicted in the California Superior Court, County of Merced for the offense of Attempted Murder, in violation of section 664/187 of the California Penal Code; 5. For this offense you were sentenced to a total term of imprisonment of nine (9) years.		
Signature  IAN HERRERA		Title SDDO

3 of 3 Pages

☒ SUPERIOR COURT OF CALIFORNIA, COUNTY OF MERCED		
☐ MUNICIPAL BRANCH OR JUDICIAL DISTRICT		
PEOPLE OF THE STATE OF CALIFORNIA vs DEFENDANT VANG LOR	DOB [REDACTED]	22912
AKA		22968
CII#		
BOOKING #	☐ NOT PRESENT	
COMMITMENT TO STATE PRISON ABSTRACT OF JUDGMENT	☐ AMENDED ABSTRACT	-0
DATE OF HEARING 04/15/99	DEPT. NO 2	JUDGE FRANK DOUGHERTY
CLERK KATHY JACOBS	REPORTER DON LEE	PROBATION NO OR PROBATION OFFICER MICHAEL FOSTER
COUNSEL FOR PEOPLE LARRY MORSE	COUNSEL FOR DEFENDANT WILLIAM DAVIS	☒ APPTD

FILED APR 15 1999
MERCED SUPERIOR COURT
Kathy Jacobs
Deputy

1. Defendant was convicted of the commission of the following felonies:

☐ Additional counts are listed on attachment
(number of pages attached)

CNT	CODE	SECTION NO	CRIME	YEAR CRIME COMMITTED	DATE OF CONVICTION (MO/DATE/YEAR)	CONVICTED BY			TERM (L, M, U)	CONCURRENT	CONSECUTIVE 1/3 VIOLENT	CONSECUTIVE 1/3 NON-VIOLENT	CONSECUTIVE FULL TERM	INCOMPLETE SENTENCE (order to term 5)	634 STAY	PRINCIPAL OR CONSECUTIVE TIME IMPOSED	
						JURY	COURT	PLEA								YRS.	MO.
A1	PC	664/187	Attempted murder	1998	09/25/98			X	U							09	00
B1	PC	245(a)(1)	Assault by means of force likely to produce GBI	1998	10/22/98			X	M	X						03	00
					/ /												
					/ /												
					/ /												
					/ /												

2. ENHANCEMENTS charged and found to be true TIED TO SPECIFIC COUNTS (mainly in the PC 12022 series). List each count enhancement horizontally. Enter time imposed for each or "S" for stayed. DO NOT LIST enhancements stricken under PC 1385.

CNT	ENHANCEMENT 1	Y/S	ENHANCEMENT 2	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	TOTAL
A1	12022.5(a)(1)	10	12022.7	3					13 00

3. ENHANCEMENTS charged and found to be true FOR PRIOR CONVICTIONS OR PRISON TERMS (mainly in the PC 667 series). List all enhancements horizontally. Enter time imposed for each or "S" for stayed. DO NOT LIST enhancements stricken under PC 1385.

ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	ENHANCEMENT	Y/S	TOTAL

4. ☐ Defendant was sentenced pursuant to PC 667(b)-(i) or PC 1170.12 (two-strikes).

5. INCOMPLETED SENTENCE(S) CONSECUTIVE

COUNTY	CASE NUMBER

6. TOTAL TIME ON ATTACHED PAGES:

7. ☐ Additional indeterminate term (see CR-292).

8. TOTAL TIME: 22 00

This form is prescribed under PC 1213.5 to satisfy the requirements of PC 1213 for determinate sentences. Attachments may be used but must be referred to in this document.
(Continued on reverse)

* * C O P Y * *

GORDON SPENCER
DISTRICT ATTORNEY
COUNTY OF MERCED
2222 M STREET
MERCED CA 95340
TELEPHONE (209) 385-7381

99 SEP 30 PM 1:31

SUPERIOR COURT, COUNTY OF MERCED
STATE OF CALIFORNIA

THE PEOPLE OF THE STATE OF CALIFORNIA
PLAINTIFF,

VS.

ANG XIONG
VANG LOR
CHONG YANG

DEFENDANT(S)

NO.

MF25444 B

CRIMINAL COMPLAINT

9.68

THE DISTRICT ATTORNEY OF MERCED COUNTY, CALIFORNIA HEREBY
ACCUSES THE ABOVE NAMED DEFENDANT(S) OF THE FOLLOWING CRIMINAL
OFFENSES OCCURRING IN THE COUNTY OF MERCED, STATE OF CALIFORNIA.

COUNT 1

ON OR ABOUT SEPTEMBER 9, 1998, DEFENDANT(S)

ANG XIONG
VANG LOR
CHONG YANG

DID COMMIT A FELONY, NAMELY, A
VIOLATION OF SECTION 245(A)(1) OF THE CALIFORNIA PENAL CODE, ASSAULT
BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY OR WITH DEADLY
WEAPON, IN THAT SAID DEFENDANT DID WILLFULLY AND UNLAWFULLY COMMIT
AN ASSAULT UPON
PAUL LEONARDO
BY MEANS OF FORCE LIKELY TO PRODUCE GREAT BODILY INJURY OR WITH A
DEADLY WEAPON, TO WIT: A PVC PIPE .

ENHANCEMENT 1

IT IS FURTHER ALLEGED PURSUANT TO PENAL CODE SECTION 1170.12(C)(1)(A)
AND/OR PENAL CODE SECTIONS 667(B) THROUGH 667(I), INCLUSIVE,
THAT THE DEFENDANT, ANG XIONG , SUFFERED THE FOLLOWING

* * C O P Y * *

PRIOR CONVICTIONS OF SERIOUS OR VIOLENT FELONIES AND/OR JUVENILE ADJUDICATIONS:

CONVICTION DATE	OFFENSE	COUNTY
JULY 1, 1997	261(A)(3) P.C.	MERCED

AN INVESTIGATION HAS BEEN CONDUCTED TO DETERMINE IF SAID DEFENDANT(S) DID COMMIT THE STATED CRIME. REPORTS OF THE INVESTIGATION, ATTACHED HERETO AND INCORPORATED BY REFERENCE, SHOW PROBABLE CAUSE THAT DEFENDANT(S) DID COMMIT THE CRIME.

ON THIS SEPTEMBER 30, 1998, IN THE COUNTY OF MERCED, I CERTIFY AND DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

GORDON J. SPENCER
DISTRICT ATTORNEY

BY *Bruce Gilbert*
DEPUTY DISTRICT ATTORNEY

UPON REVIEW OF THE REPORTS ATTACHED AND INCORPORATED HEREIN BY REFERENCE, I FIND SUFFICIENT PROBABLE CAUSE FOR A WARRANT OF ARREST TO BE ISSUED FOR CHONG YANG

DATED: _____

JUDGE OF THE MUNICIPAL COURT

PURSUANT TO PENAL CODE SECTION 1054.5(B), THE PEOPLE ARE HEREBY INFORMALLY REQUESTING THAT DEFENDANT AND HIS OR HER ATTORNEY PROVIDE TO THE PEOPLE THE DISCOVERY REQUIRED BY PENAL CODE 1054.3. THIS IS A CONTINUING REQUEST PURSUANT TO THE PROVISIONS OF PENAL CODE SECTION 1054.7.