

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

Vraj Dilipbhai PATEL (A )

Petitioner,

v.

Case No. 3:25-cv-00373-RGJ

JEFF TINDALL, Jailer, Oldham County

Detention Center;

SAMUEL OLSON, Field Office Director,

Chicago Field Office, Immigration and

Customs Enforcement;

KRISTI NOEM, Secretary of the U.S. Department

of Homeland Security; and

PAMELA BONDI, Attorney General of the

United States,

Respondents.

REPLY TO RESPONDENTS' RESPONSE TO ORDER TO SHOW CAUSE

On June 20, 2025, this Court ordered Respondents to Show Cause why the writ of habeas corpus should not be granted with a deadline to respond by June 24, 2025, and for Petitioner to reply on or before June 25, 2025. (Doc. 3). On June 24, 2025, Respondents filed a Response to Order to Show Cause Why Writ of Habeas Corpus Should Not be Granted and a Motion to Dismiss Petitioner's petition. (Doc. 12 & 13). Respondents claim that Petitioner's petition fails to state a claim upon which relief can be granted.

Petitioner maintains that a writ of habeas corpus is appropriate in this case, as he raises statutory and constitutional challenges to his detention. *Demore v. Kim*, 538 U.S. 510, 517 (2003). Document 12-2 in Respondents' Motion to Dismiss demonstrates that DHS issued an expedited removal order against Petitioner on June 9, 2025. However, DHS lacked jurisdiction to issue this removal order against Petitioner because his removal proceedings and duly filed

asylum claim under 8 U.S.C. section 1229 were still pending before an Immigration Judge. (Exh. PX1). Petitioner's section 1229 immigration proceedings were dismissed on June 18, 2025. (Exh. PX2). This is a clear violation of Petitioner's right to procedural due process. Petitioner respectfully requests a briefing schedule to fully address Respondent's Motion to Dismiss.

Dated: June 25, 2025

Respectfully Submitted,

Vraj Dilipbhai PATEL

By: /s/ Maya A. Flores

One of his attorneys

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CERTIFICATE OF SERVICE

I hereby certify that on June 25, 2025, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to counsel for the Respondents.

/s/ Maya A. Flores
Maya A. Flores
Kriezelman Burton & Associates