

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

TAM CHI NGUYEN,

Petitioner,

v.

KRISTI NOEM, et al.,

Respondent.

Civil Action No. 6:25-CV-00057-H

RESPONSE TO NOTICE

Petitioner filed a Notice informing the Court that Petitioner had not been removed from the United States as planned on August 11, 2025. The Court order the Responded to respond to the Notice. As discussed below, Respondent confirms that Petitioner has not yet been removed to Vietnam, however removal has been rescheduled for September 1, 2025.

ICE's Headquarters Office of Enforcement and Removal Operations, Removal and International Operations (HQ RIO) received a travel document for Petitioner on July 25, 2025. The Dallas Field office for Enforcement and Removal Operations (ERO) was informed that Petitioner could be removed on a charter flight to Vietnam on August 11, 2025, and Petitioner was placed on a "call-out" list to be transferred to Louisiana prior to removal. App. p. 2, ¶ 4. Respondents notified this Court on August 4, 2025, that travel papers had been secured and that ERO planned to transfer and remove Petitioner from the

United States. ECF. No. 15. Thereafter, the Court ordered expedited briefing from the parties. This Court resolved the habeas petition in Respondents' favor in the afternoon on August 10, 2025. ECF. No. 21.

On August 9, 2025, Petitioner and others were taken to Dallas Love Field airport to fly to Alexandria, Louisiana for the charter removal flight. App. p. 3, ¶ 6. Unfortunately, delays with paperwork at Dallas Love Field resulted in that flight not departing. *Id.* Petitioner was scheduled on a new flight to Louisiana on August 10, 2025. App. p. 3, ¶ 7. The flight was scheduled to depart Dallas Love Field at 7:30 p.m. Due to mechanical issues and crew restrictions, the flight concluded early. *Id.* ICE scheduled a third flight to transport Petitioner and others to Louisiana for the removal flight, however, the flight arrived in Louisiana late, and the removal flight had already departed. App. p. 3, ¶ 8. Petitioner and others were taken back to Prairieland Detention Center. App. p. 4, ¶ 8. Petitioner is currently scheduled for a charter flight to Vietnam on September 1, 2025. App. p. 4, ¶ 9.

Petitioner's continued detention is both lawful and necessary. The detention is not indefinite or without a new date for removal. Petitioner is scheduled for a flight in less than two weeks. This period of time is reasonable under the circumstances.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On August 22, 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/ Ann E. Cruce-Haag
ANN E. CRUCE-HAAG
Assistant United States Attorney