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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Thai-Quang Quach,
Petitioner,
v.
Kristi Noem, et al.,
Respondents.

No. CV-25-02937-PHX-JJT (JFM)
ORDER

Petitioner filed this § 2241 action challenging his detention and seeking protection from third country removal without due process. (Doc. 17.) He filed a Motion for Preliminary Injunction that remains pending. (Doc. 18.)

On October 17, 2025, Petitioner filed an Ex Parte Motion for Temporary Restraining Order indicating he will be removed to Vietnam on or before October 22, 2025 and seeking an Order enjoining his removal. Petitioner argues he has a likelihood of success on his claim that he was redetained in violation of the applicable regulations and his removal order is based on a conviction for kidnapping, which is now not a removable offense. As a result, Petitioner seeks an order staying his removal pending adjudication of his habeas petition.

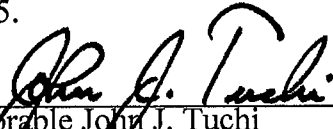
But even if the Court were to conclude Petitioner’s redetention violated the relevant regulations, it could not enjoin his removal to Vietnam. His request for a stay of removal does not relate to his underlying habeas claims and he could not bring a claim challenging his removal order because habeas corpus review in federal district court is not available for claims “arising from the decision or action by the Attorney General to commence

1 proceedings, adjudicate cases, or execute removal orders,” 8 U.S.C. § 1252(g), “arising
2 from any action taken or proceeding brought to remove an alien,” 8 U.S.C. § 1252(b)(9),
3 or “challeng[ing] a ‘discretionary judgment’ by the Attorney General or a ‘decision’ that
4 the Attorney General has made regarding [an alien’s] detention or release,” *Demore v. Kim*,
5 538 U.S. 510, 516 (2003) (discussing 8 U.S.C. § 1226(e)); *see also* 8 U.S.C. §
6 1252(a)(2)(B)(ii) (precluding review of other discretionary decisions and actions specified
7 by statute). As a result, Petitioner’s Ex Parte Motion for Temporary Restraining Order
8 must be denied.

9 **IT IS THEREFORE ORDERED** Petitioner’s Ex Parte Motion for Temporary
10 Restraining Order (Doc. 25) is **denied**.

11 Dated this 17th day of October, 2025.

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Honorable John J. Tuchi
United States District Judge