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

12 Monnathy L. Nambounmy,

13 Petitioner,

14 v.

15 John E. Cantu, et al.,

16 Respondents.

No. 2:25-cv-03294-PHX-DJH (ASB)

**RESPONSE IN OPPOSITION TO  
MOTION TO ENFORCE**

17 Respondents John E. Cantu, Field Office Director, U.S. Immigration and Customs  
18 Enforcement (“ICE”), U.S. Department of Homeland Security (“DHS”); Todd Lyons,  
19 Acting Director of ICE; Kristi Noem, Secretary of DHS; and David R. Rivas, Warden, San  
20 Luis Regional Detention Center (“Respondents”), by the through undersigned counsel,  
21 respond in opposition to Petitioner’s Motion to Enforce October 2, 2025, Order Granting  
22 Writ of Habeas Corpus (Doc. 16).

23 **I. Factual background.**

24 Petitioner is a citizen of Laos. Doc. 11 at Ex. 1, ¶ 4. Petitioner has a lengthy criminal  
25 history within the United States. *See* Doc. 11 at 1-2. Relevant to the issue presently before  
26 the Court, beginning on July 3, 2025, Petitioner was enrolled in ICE’s Alternatives to  
27 Detention (“ATD”) program, which required him to wear a GPS ankle monitor. *See* Ex. 1,  
28 Decl. of Ricardo Cumplido at ¶ 9; Ex. 2, ATD Enrollment – Notice to Alien dated July 3,

1 2025, and signed by Petitioner; *see also* Doc. 11 at 2, Doc. 8 at Ex. L (ATD Enrollment –  
2 Notice to Alien filed by Petitioner).

3 Prior to the ATD program, Petitioner had been enrolled in ICE’s Compliance  
4 Assistance Reporting Terminal program, which required him to check in with ICE using a  
5 self-service kiosk at an ICE facility. Ex. 1 at ¶ 7. Petitioner’s enrollment in the ATD program  
6 had nothing to do with the stay of removal he unsuccessfully requested from ICE. Ex. 1 at  
7 ¶ 9; Ex. 3, Decision Denying Application for Stay of Deportation or Removal. Rather,  
8 enrollment in ATD was a condition of Petitioner’s OSUP. Ex. 1 at ¶ 9. Thus, when the Court  
9 ordered Petitioner released on the same terms that existed prior to his detention on July 30,  
10 2025, Petitioner was released on the OSUP with ATD and refitted with the GPS ankle  
11 monitor that Petitioner had been wearing since July 3, 2025. Ex. 1 at ¶¶ 9, 12. The decision  
12 to fit Petitioner with an ankle monitor at the beginning of July was due to ICE’s  
13 determination that removal to Laos was likely, coupled with Petitioner’s criminal history.  
14 Ex. 1 at ¶ 9. ICE has now secured travel documents for Petitioner and expects to remove  
15 him to Laos shortly. Ex. 1 at ¶ 13.

16 Because Petitioner was on an OSUP with ATD prior to his detention by ICE on July  
17 30, he was returned to the OSUP with ATD when this Court ordered his release. Since July  
18 3, Petitioner had been wearing a GPS ankle monitor under the terms of his OSUP with ATD.  
19 Respondents complied with the Court order that required them to return Petitioner to same  
20 condition he was in prior to his detention on July 30, which included wearing the GPS ankle  
21 monitor.

22 Respectfully submitted this 22nd day of October, 2025.

23 TIMOTHY COURCHINE  
24 United States Attorney  
25 District of Arizona

26 *s/ Katherine R. Branch*  
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