

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

MURAD LADAK

PETITIONER,

v.

KRISTI NOEM, et al.,

RESPONDENTS.

Civil Case No. 1:25-CV-00194-H

**REPLY TO RESPONDENTS' SUPPLEMENTAL RESPONSE**

Petitioner, Murad Ladak, by and through undersigned counsel, submits this reply to Respondents' Supplemental Response filed on November 20, 2025.<sup>1</sup> On November 7, 2025, this Court entered an order asking the Respondents to file a response addressing three points: (1) whether they will seek to remove Mr. Ladak to a third country if Pakistan declines to provide travel documents; (2) if there is no significant likelihood of removal to Pakistan, whether Mr. Ladak's third-country-removal claims are ripe; and finally (3) the merits of Mr. Ladak's third-country-removal claims.<sup>2</sup>

Unfortunately, Respondents fail to articulate the information the court asked for in its November 20 response. In its order, the court notes that Respondents do not clarify whether third-country-removal plans are imminent if Pakistan does not provide travel documents, and directly instruct the government to respond.<sup>3</sup> Here, again, however,

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<sup>1</sup> ECF 12.

<sup>2</sup> ECF 11.

<sup>3</sup> ECF 11.

Respondents provide the same answer: “[U]nless and until the travel request is denied, Respondents are pursuing removal to Pakistan.”<sup>4</sup> This response leaves Petitioner, and this Court, in the dark as to Respondents plans.

This lack of a response is extremely frustrating considering that things have changed exponentially for Petitioner since the date of Respondents’ filing. Only two days ago, Petitioner was informed by a deportation officer that Pakistan has denied ICE’s request for travel documents.<sup>5</sup> As has been the case in the past, Pakistan has refused to provide the necessary travel documents for ICE to effectuate Petitioner’s removal. This recent change in Petitioner’s status has made this Court’s question in its November 7 order that Respondents refused to answer even more pertinent: Will ICE now seek to remove Petitioner to a third country?

It cannot be pushed aside for any longer—Mr. Ladak’s third-country-removal claims are ripe. As explained at length in previous filings, removal to a country other than Pakistan would be unlawful and a violation of ICE’s own regulations.<sup>6</sup> There are steps and procedures that must be met before a third-country-removal could even be contemplated.<sup>7</sup> And, without a doubt, third-country-removal would only be intended as a form of punishment for Mr. Ladak. Immigration law prohibits removal to a third country where a

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<sup>4</sup> ECF 12 at 1.

<sup>5</sup> Ex. 1.

<sup>6</sup> ECF 1 at 16-21.

<sup>7</sup> See 8 U.S.C. § 1231(b).

person may be persecuted or tortured.<sup>8</sup> The government “may not remove [a noncitizen] to a country if the Attorney General decides that the [noncitizen’s] life or freedom would be threatened in that country because of the [noncitizen’s] race, religion, nationality, membership in a particular social group, or political opinion.”<sup>9</sup> Similarly Congress has codified protections that prohibit the government from removing a person to a country where they would be tortured under the Convention Against Torture (CAT).<sup>10</sup>

To comport with due process, the government *must* provide notice of the third country removal and an opportunity to respond. Due process requires “written notice of the country being designated” and “the statutory basis for the designation, i.e., the applicable section of § 1231(b)(2).”<sup>11</sup> Due process also demands that the government ask the noncitizen whether he or she fears persecution or harm upon removal to the designated country and memorialize in writing the noncitizen’s response.<sup>12</sup> If the noncitizen claims fear, remedial measures must be taken.

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<sup>8</sup> *Id.* at § 1231(b)(3)(A).

<sup>9</sup> *Id.*; *see also* 8 C.F.R. §§ 208.16, 1208.16.

<sup>10</sup> *See* FARRA 2681-822 (codified as 8 U.S.C. § 1231 note) (“It shall be the policy of the United States not to expel, extradite, or otherwise effect the involuntary return of any person to a country in which there are substantial grounds for believing the person would be in danger of being subjected to torture, regardless of whether the person is physically present in the United States.”); 28 C.F.R. § 200.1; *id.* at §§ 208.16-2018.18, 1208.16-1208.18.

<sup>11</sup> *Aden v. Nielsen*, 409 F. Supp. 3d 998, 1019 (W.D. Wash. 2013).

<sup>12</sup> *Id.*

Mr. Ladak has not received information as to what comes next for him. ICE has expressly told him they will consider other options<sup>13</sup>—in the meantime, Petitioner remains detained where he has been for months. Petitioner is left to wonder whether ICE will follow its own laws and comport with its own procedures. Petitioner fears being sent to El Salvador, or really, any country that is not the United States or Pakistan.<sup>14</sup> More than anything, Petitioner asks to be released because he is more than willing to continue complying with ICE and its plan to effectuate removal to Pakistan as he has for years on an OSUP.<sup>15</sup>

Countless individuals from Mr. Ladak's family, friends, and community have provided letters outlining the type of person that Mr. Ladak is. They describe him as a family man, hard-working, a new father, and always willing to help those in need.<sup>16</sup> This is the type of person that has been in ICE detention languishing since September.

Mr. Ladak again urges this Court to issue the temporary restraining order and order him released from custody; order Respondents not to remove him to a third country; grant habeas relief; and alternatively set an evidentiary hearing on this matter due to the fact Pakistan has refused to supply travel documents to Respondents.

RESPECTFULLY SUBMITTED.

/s/ Dan Gividen

Dan Gividen

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<sup>13</sup> Pet. Ex. 1.

<sup>14</sup> ECF 1 at Ex. 1.

<sup>15</sup> Pet. Ex. 1.

<sup>16</sup> Pet. Ex. 2.

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**Certificate of Service**

I hereby certify on December 5, 2025, I filed this document, and a copy was served on counsel for the USA.

/s/ Dan Gividen  
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