UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CHANTHILA SOUVANNARATH

VERSUS

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, et al.

CIVIL ACTION

NO. 25-938-SDD-SDJ

OPPOSITION TO PETITIONER'S MOTION TO QUASH BY FEDERAL RESPONDENTS

This Court tasked the parties with a simple directive – engage in limited, narrowly tailored, and expedited discovery to address when Respondents[1] had knowledge of the Court's *ex parte* temporary restraining order and whether there was any action taken to "quiet" the Petitioner through his removal.

Now Petitioner has sought to quash all discovery served on him, urging it is "wholly unrelated" to the Court's inquiries. Doc. 29-1, p. 2. Not so. It was the Petitioner, not the Respondents, who alleged the Respondents had sufficient notice of the Court's *ex parte* order to prevent his removal. Doc. 16, p. 3. And it was the Petitioner, not the Respondents, who alleged his removal was absent "meaningful notice" and was "nearly instantaneous." Doc. 11-1, p. 4.

Further, these allegations were made through filings by the Petitioner *after* his removal from the United States. If the Petitioner has some factual basis to support those allegations, he should be required to produce that information to the United States through discovery. And Petitioner's claims of undue burden are not compelling where he now concedes he is no longer detained by Lao authorities. The Court should therefore deny the Petitioner's motion to quash in full.

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[1] U.S. Immigration and Customs Enforcement (ICE); Attorney General Pamela Bondi; Todd Lyons, Acting Director, U.S. Immigration and Customs Enforcement; Secretary Kristi Noem; and the United States of America.

BACKGROUND

A. Status of the Case

On October 23, 2025, the Court issued a temporary restraining order directing the Respondents not to remove Petitioner from this district or the United States. Doc. 4. The order was issued *ex parte*, and notice was provided to the Respondents via U.S. mail. As the Court is aware, the Petitioner was removed from the United States on October 24, 2025. Removal occurred before the Respondents had any knowledge of the Court's *ex parte* order. Indeed, Petitioner had been removed from the district before the order was even issued.

After being removed from the United States, the Petitioner filed a "motion to enforce" the Court's temporary restraining order and compel return to the United States. Doc. 11. The Petitioner alleged he was "swiftly removed" from the district "shortly after the Court's order." Doc. 11-1, pp. 2-3. That is inaccurate. He was removed from the district days earlier, before the Court's order was even issued. The Petitioner alleged he was removed "absent meaningful notice." *Id.* ¶ 4. That is inaccurate. Petitioner was detained pursuant to a warrant of removal, and his detention lasted for four (4) months. Petitioner has identified no other "notice" to which he is entitled. Absent knowledge of the Court's *ex parte* temporary restraining order, Respondents removed Petitioner to Laos in accordance with a lawful, valid final order of removal issued by an immigration judge.

The Petitioner also fomented significant media attention by alleging the Respondents deliberately "ignored" the Court's order. Doc. 12. And after filing his motion to enforce, the Petitioner filed a separate "notice" advising the Court that his spouse had purportedly telephoned ICE on October 24 and was informed of the Court's order. Doc. 16, p. 3. All of these factual disputes arise from the Petitioner's own allegations, and all are in filings he made *after* he was removed from the United States.

B. Court Ordered Discovery

On November 4, 2025, the parties participated in a status conference with the Court. Doc. 26. At Petitioner's request, the Court ordered the parties to engage in limited discovery concerning knowledge of the Court's *ex parte* temporary restraining order and whether Respondents had in any way improperly "quieted" the Petitioner.

Respondents complied with the Court's directive. They timely produced written responses to the Petitioner's discovery and provided responsive documents, Bates-labeled as USA_000001 thorough USA_000079. Where documents were subject to a privilege, they were documented in a privilege log.

Petitioner has not complied with the Court's directive and has made no good faith effort to do so. Should the Court deny this motion to quash and allow this case to continue, Respondents will file a motion to compel *all* discovery served on Petitioner in short order. Petitioner filed into the record of this proceeding the discovery served by the Respondents. Doc. 29-3. His responses are attached herein. **Ex. A**.

As of this filing, Petitioner answered all but one interrogatory with the same boilerplate, nonresponsive objection:

> Petitioner objects as to relevance and to overly broad. Without waiving that objection, Petitioner has been removed from the United States and, upon information and belief, was just released from detention in Laos today, November 19, 2025, and is unable to answer.

Petitioner noted in response to interrogatories 4 and 5 that he already answered those questions with "documents" "filed into the record." Respondents do not know to what Petitioner could possibly be referring. There are no "documents" in the record of this case that answer either of those interrogatories. The only filings in the record of this case are unsourced, unverified,

attorney argument. In response to interrogatory 6, Petitioner merely called the request "wholly irrelevant." But Petitioner himself made the presence of his attorneys a factual issue in support of his claims. *Cf.* Doc 16, p. 3.

Further, Petitioner answered each request for admission with the same boilerplate, nonresponsive objection and answer:

> Petitioner objects to this request as irrelevant. Subject to that objection, it is admitted that Petitioner was in removal proceedings and in Respondents' custody.

Respondents never inquired whether Petitioner was in their "custody." Nor does such an admission respond to any of the requests served on the Petitioner. Finally, in response to each request for production, Petitioner provided the same boilerplate, nonresponsive answer:

> Petitioner objects to this request as overly broad and overly burdensome, in light of Petitioner's removal to Laos in violation of a court order. Subject to that objection, Petitioner has been removed from the United States and, upon information and belief, was just released from detention in Laos today, November 19, 2025, and is unable to answer. Any documents that are readily available have been previously filed into the docket in this matter.

Again, no "documents" have been filed into the docket of this proceeding that answer any of these requests for production. The only filings in the docket are attorney argument.

Petitioner now moves to quash the Respondents' discovery as "unduly burdensome" because he was detained by Lao authorities – a proposition he has now walked back. Petitioner has also alleged the Respondents' discovery is "wholly unrelated" the Court's inquiries. And Petitioner again asks for the Court to order his return.

ARGUMENT

Following the status conference on November 4, Respondents understood the Court's focus to be on two discrete issues: (1) when did Respondents have knowledge of the Court's *ex parte*

temporary restraining order; and (2) whether Respondents acted in any way to "quiet" the Petitioner. Respondents narrowly tailored their discovery to conform to these two issues.

The Court did not order one-sided discovery. Doc. 27. And critically, it was the Petitioner, not the Respondents, who alleged factual disputes giving rise to both these issues, doing so through court filings made after he was removed from the United States. Respondents have a right to demand the bases for these allegations. If Petitioner saw fit to allege through a court filing that Respondents had knowledge of the Court's temporary restraining order, he should put forth the evidence on which he relied.

A. Notice of the Court's Temporary Restraining Order

The Court issued its *ex parte* temporary restraining order on October 23, 2025. The order compelled the Respondents not to remove Petitioner from the district or from the United States. But the Petitioner had already been removed from the district on October 20, and he was removed from the United States on October 24, 2025, at 11:45 a.m. EDT/ 10:45 a.m. CDT. Doc. 15-1, ¶ 8. The Respondents had no notice or knowledge of the Court's *ex parte* order until later that day at 2:51 p.m. CDT, when the U.S. Attorney's Office conducted a proactive docket check of several cases pending in this Court, including this one. Doc. 23, pp. 3-4.

This timeline is straightforward, and Respondents are prepared to answer any questions the Court may have. But the Petitioner has specifically disputed this sequence of events. According to Petitioner, his spouse spoke with an unnamed, unidentified ICE employee on the morning of October 24, 2025. Doc. 16, p. 3. In further inquiry with Petitioner's counsel, Respondents were informed that the Petitioner's spouse contacted the ICE Los Angeles Field Office. Doc. 23, p. 5.

It is not known why the Petitioner's wife would contact that field office, which played no operational role whatsoever in the Petitioner's detention or removal. To date, ICE has found no

record of this phone call. Rather, and as set forth through discovery responses produced to the Petitioner, ICE has located an e-mail the Petitioner's spouse sent on October 15, and a phone call the Petitioner's spouse made to the Detention, Removals, and Information Line (DRIL) on October 22.[2] Neither communication was with the Los Angeles field office. And both communications occurred *before* the Court's *ex parte* order even issued.

Respondents cannot prove a negative. They cannot irrefutably demonstrate that this call to Los Angeles even occurred. But they also cannot adequately investigate this call if they do not know even basic information, including the time it occurred, the length of the call, a description of the ICE official, or the nature of the conversation.

Petitioner and his spouse can easily produce this information, and the following discovery is narrowly tailored to that end:

Interrogatories

> 2. Identify all telephone calls made by Petitioner's spouse to any agent, officer, or employee of Respondents prior to October 25, 2025. Please include the date, time, phone number from which the call was made, phone number called, and a brief description of the content or purpose of the call.
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> 3. Please describe, in detail, any telephone conversations between Petitioner's spouse and any employee, officer, or agent of the Respondents on the morning of October 24, 2025. In your response, include the telephone number that was dialed, the telephone number the Petitioner's spouse used, whom she spoke with (including any general descriptions such as job title or "male"), and what "court order" was discussed.
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> 4. State whether Petitioner's spouse or anyone else on Petitioner's behalf called the Louisiana ICE Processing Center or the Central Louisiana ICE Processing Center on October 24, 2025. In your response, include the telephone number that was dialed, the telephone number the caller used, whom they spoke with (including any general descriptions such as job title or "male"), and what was discussed.
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> 5. If you assert that ICE had actual knowledge of the Court's temporary restraining order before Petitioner's removal from the Middle District of Louisiana or the

[2] This information was provided to Petitioner during discovery.

United States, identify all documents and communications on which you are relying to support that contention.

Requests for Production

2. Provide all call logs from the Petitioner's spouse demonstrating contact with any agent, officer, or employee of the Respondents from October 16, 2025, through and including October 24, 2025. Include information sufficient to demonstrate the duration of the call. A screenshot from the individual's phone accompanied with a signed and sworn declaration satisfies this request.

3. Produce all written correspondence by the Petitioner's spouse with any agent, officer, or employee of the Respondents from October 16, 2025, through and including October 28, 2025.

4. Produce all written correspondence by any representative of the Petitioner with any agent, officer, or employee of the Respondents from October 16, 2025, through and including October 28, 2025.

Petitioner insists he "cannot answer" these simple, straightforward questions. The objection defies explanation. Petitioner himself alleged that his spouse corresponded with an ICE official, and he did so through a Court filing *after* his removal from the United States. Presumably he had a justifiable factual basis for that assertion. *Cf.* Fed. R. Civ. P. 11(b). Nor is his spouse detained in Laos. On information and belief, she is presently residing in the United States. Petitioner clearly possesses or controls discoverable information that is unimpeded by his removal. He should be compelled to produce it to the Respondents.

B. Quieting the Petitioner

During the November 4 status conference, the Court expressed some concern over whether the Petitioner had been purposely "quieted" in any way by Respondents. To be clear, he was not. The Petitioner was removed from the United States pursuant to a final order of removal issued by an immigration judge. Petitioner's travel documents to Laos were issued prior to the filing of this

action,[3] and Petitioner himself understood he would be removed to Laos "on the next flight." Doc. 1, p. 1.

Petitioner had 19 years to challenge his final order of removal, and so far as Respondents are aware, he made no effort to do so. Nor did Petitioner make any effort to verify his purported U.S. citizenship through the appropriate channels. *Cf.* 8 U.S.C. §§ 1503(a), 1252(b)(5).

Petitioner has alleged, or at least intimated, that his counsel's mere presence at the Louisiana ICE Processing Center (LIPC) on October 20 may have triggered some sort of retaliatory conduct. Doc 16, p. 3, 2nd bullet. This is nothing more than rampant speculation, and it is entirely untethered from the facts of the case.

As an initial matter, Petitioner had no counsel of record in this case until October 28. Further, attorneys representing aliens in removal proceedings must affirmatively obtain consent and provide notice to DHS. This ensures an alien's privacy rights are not infringed by sharing their protected information with unauthorized third parties. Here, that would require obtaining Petitioner's consent to representation and submitting to DHS a Form G-28 *Notice of Entry of Appearance as Attorney or Accredited Representative.* The form is one page and is not onerous. But absent that form, neither ICE nor DHS would have any knowledge of an alien's status as a represented party.

Petitioner also alleged his removal from the United States was absent "meaningful notice" and was "nearly instantaneous." Doc. 11-1, p. 4. Again, this is false, and it is entirely undermined by the facts of the case. Petitioner was aware he was subject to removal to Laos, a country identified in his final order of removal. Nor was Petitioner rushed out of the United States. ICE detained him for four (4) months before his removal was effectuated.

[3] These partially redacted documents were produced to the Petitioner in response to a discovery request.

But to address the Court's concerns regarding any alleged adverse treatment of the Petitioner, the following narrowly tailored discovery sought to confirm the Petitioner's attorney representation (or lack thereof), the efforts he was making to pursue a genuine claim of U.S. citizenship (or lack thereof), and the ample notice and lawfulness of his removal to Laos:

Interrogatories

1. Prior to October 24, 2025, please describe all efforts, if any, by the Petitioner to reopen or challenge his final order of removal, issued by an immigration court judge on or around November 16, 2006.

6. As of October 24, 2025, identify any and all attorneys who had completed and filed with Respondents a Form G-28 *Notice of Entry of Appearance as Attorney or Accredited Representative* on behalf of Chanthila Souvannarath. Include the date such form was filed with Respondents and the means by which it was filed.

Requests for Admission

1. Admit that as of October 24, 2025, the petitioner Chanthila Souvannarath did not have Lawful Permanent Resident (LPR) status.

2. Admit that as of October 24, 2025, the petitioner Chanthila Souvannarath was subject to a final order of removal issued by an immigration court judge on or about November 16, 2006.

3. Admit that the final order of removal for Chanthila Souvannarath directed the Government to remove Petitioner to Thailand or, in the alternative, to Laos.

4. Admit that as of October 24, 2025, Petitioner Chanthila Souvannarath was detained pursuant to an I-205 Warrant for Removal/Deportation issued on or about June 18, 2025.

5. Admit that as of October 24, 2025, no attorney had appeared on Petitioner's behalf in this habeas action.

6. Admit that as of October 24, 2025, Chanthila Souvannarath had not moved to reopen his immigration court proceedings.

7. Admit that as of October 24, 2025, Chanthila Souvannarath had not filed a petition for review of his final order of removal in a court of appeals.

> 8. Admit that as of October 24, 2025, Chanthila Souvannarath had not completed and filed with U.S. Citizenship and Immigration Services a DHS Form N-600 *Application for Certificate of Citizenship*.

Requests for Production

> 1. Produce all documents on which Petitioner was relying to support his claim of U.S. citizenship immediately prior to his removal. If applicable, include any documents concerning the divorce of Petitioner's parents and any final decree or adjustment of custody status for Petitioner.

Again, all of this discovery is entirely in the possession, custody, or control of the Petitioner. He would know if he gave consent to an attorney to represent his interests. He would know if he attempted to reopen his immigration court proceedings or if he attempted to verify his claims of U.S. citizenship at any time during the 19 years he was subject to a final order of removal. As of November 24, 2025, Respondents have no record of such efforts, and they have no record that any attorney completed a Form G-28 to represent Petitioner's interests in the removal process.

To suggest that *Respondents* engaged in any "quieting" when the Petitioner himself failed to take any step at all to advance his own claims is simply not credible. The mere filing of a habeas petition does not negate the Petitioner's final order of removal.

C. There are Numerous Jurisdictional Hurdles to this Proceeding

In response to Petitioner's Motion to Enforce, the Respondents identified multiple jurisdictional hurdles in this case that Petitioner cannot circumvent. In sum, the Court does not have jurisdiction to impede the execution of Petitioner's final order of removal; does not have jurisdiction to reopen or alter that final order of removal; and does not have jurisdiction to declare Petitioner a U.S. citizen. *See* Docs. 15, 23. Even if Petitioner were returned to the United States, these jurisdictional hurdles would remain, presenting a legal quagmire where Petitioner would immediately be subject to re-removal from the United States. And while the Court is correct that it retains habeas jurisdiction over this matter, that jurisdiction is limited only to the issue of

detention, not removal. *See Pierre v. United States*, 525 F.2d 933, 935-36 (5th Cir. 1976) (stating that habeas "is not available to review questions unrelated to the cause of detention"); *Oliveira v. Patterson*, No. 6:25-cv-01463, 2025 WL 3091705, at *1 (W.D. La. Oct. 9, 2025) (finding that the court lacked jurisdiction under 8 U.S.C. § 1252(g) to grant a temporary restraining order preventing removal during habeas case).

Nevertheless, Petitioner now attempts to leverage this limited discovery to compel *merits* relief via his return to the United States. Namely, Petitioner insists he must be physically present to verify his interrogatories.

This argument is disingenuous because it would obviate this discovery exercise. It is also moot. While Respondents cannot confirm or deny the Petitioner's status, he admits that he is no longer detained by Lao authorities. If so, there is no barrier to him electronically signing a declaration in accordance with 28 U.S.C. § 1746. Further, Petitioner has not explained why his alleged inability to verify his interrogatory responses prevents him from responding to Respondents' requests for production and requests for admission.

Nonetheless and in the alternative, to the extent that the Court has concerns regarding Petitioner's ability to verify his responses to Respondents' interrogatories, Respondents submit that the more prudent course is to require him to disclose what information is available, even if unverified, subject to his obligation to supplement his responses at a later date should the Court ultimately direct his return to the United States. *See* Fed. R. Civ. P. 26(e)(1).

Finally, the jurisdictional issues discussed above are threshold, potentially dispositive matters that have not yet been resolved. If Petitioner insists on continuing to obstruct the discovery of facts he alleged and to which Respondents are entitled, Respondents request that the Court proceed with a limited hearing to address Respondents' jurisdictional arguments. To the extent the

Court rules in Respondents' favor, any remaining discovery disputes will be moot. And otherwise, the parties will be in a more informed position to address which factual issues are relevant to resolving Petitioner's claims.

CONCLUSION

Petitioner's removal from the United States was pursuant to a lawful final order of removal and done with all due notice. Any suggestion otherwise is belied by the facts in this case. Respondents have not knowingly or intentionally ignored any orders of this Court. But they need knowledge of those orders to comply. There was no such knowledge here in time for Respondents to act. And to whatever extent the Petitioner urges otherwise, he should explain why, and he should do so not through unsourced, unverified attorney argument but through complete responses to Respondents' discovery. If this case continues, the Court should not allow Petitioner to sidestep his own obligations to engage in this proceeding in good faith.

Respectfully submitted,

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