IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

TRANH TRI TA, PETITIONER, v. US IMMIGRATION AND CUSTOMS ENFORCEMENT, RESPONDENT.	)	Case. No. CIV-25-1256-PRW

RESPONDENT'S RESPONSE IN OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS

Respondent US Immigration and Customs Enforcement ("ICE") submits this Response in Opposition to Petitioner's Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 ("Petition") (Doc. 5) and the Amended Writ of Habeas Corpus ("Amended Petition") (Doc. 9). In support, Respondent submits the following:

PRELIMINARY STATMENT

At its core, this is an immigration detention habeas proceeding wherein Petitioner appears to seek immediate release from custody under the Supreme Court's *Zadvydas v. Davis*, 533 U.S. 678 (2001), case. *See* Doc. 5 at ¶¶ 6 & 13. His Petition and Amended Petition, however, are rife with issues that exceed the narrow scope of such habeas proceedings, inviting the Court to issue remarkable relief inappropriate for determination in an already expedited proceeding under 28 U.S.C. § 2241, such as a demand (for which there appears to be no ripe controversy) that the Court enjoin action for any *future*

revocations of Orders of Suspension or re-detention unless specified conditions are met. *See* Doc. 5 at ¶¶ 13 ("Ground Three") and 15. The Court should decline to accept this invitation and confine itself to the issue properly presented in a Section 2241 habeas petition—whether Petitioner is in custody in violation of the Constitution or laws of the United States. In a *Zadvydas* case such as this one, the relevant custody inquiry is whether there is a significant likelihood that Petitioner will be removed in the reasonably foreseeable future. Should Petitioner continue to pursue these other claims, the Court should require adherence to appropriate rules of procedure (which include proper service) in those regards. Moreover, to the extent Petitioner seeks an injunction from deporting Petitioner to a third country unless certain conditions are met, he falls within the class of individuals articulated in *D.V.D. v. DHS*, 778 F. Supp. 3d 355 (D. Mass. Apr. 18, 2025), and is unable to request that relief here. *See* Doc. 9 at 2.

With respect to the issue at bar, Petitioner's *Zadvydas* claim fails. Other than conclusory statements regarding his detention, Petitioner offers little to meet his initial burden to establish that there is *currently* no significant likelihood of removal in the reasonably foreseeable future. His Petition should be denied.

FACTUAL BACKGROUND

Petitioner is a native and citizen of Vietnam. He entered the United States at or near Los Angeles, California, on March 5, 1985. On March 12, 1986, his status was adjusted to that of a lawful permanent resident. Ex. 1, Dec. of McGettrick at ¶¶ 3-4. "On November 5, 1992, [Petitioner] was convicted in the 372nd District Court of Tarrant

County, Texas, for the offense of Sexual Assault, in violation of TPC § 22.011. For that offense, the term of imprisonment imposed was five years." Ex. 1 at ¶ 5.

"On April 12, 1994, [he] was placed into deportation proceedings with the issuance of an Order to Show Cause and Notice of Hearing." Ex. 1 at ¶ 6 and Ex. 2, Order to Show Cause. "On January 31, 1997, [Petitioner] was ordered deported by an immigration judge. [His] deportation order was not effectuated." Ex. 1 at ¶ 7 and Ex. 3, IJ Order. "On March 31, 2000, ERO released [Petitioner] under $5,000 bond and an order of supervision. [His] bond was cancelled on July 14, 2011." Ex. 1 at ¶ 8 and Ex. 4, Bond Release. Petitioner's Order of Supervision is attached as Exhibit 5. *See* Ex. 5, OOS.

"On September 19, 2025, ERO Officers arrested and detained [Petitioner] based on his final order of removal and criminal history." He "is currently detained at the Cimarron Correctional Facility in Cushing, Oklahoma. [Petitioner] is detained under INA § 241 (detention authority of aliens ordered removed), and he has been in DHS custody since September 19, 2025." Ex. 1 at ¶¶ 9-10. On November 12, 2025, Deportation Office McGettrick "submitted a travel document request to the government of Vietnam, and [ ] requested and received from [Petitioner] information regarding his family, including their location and ties to Vietnam." Ex. 1 at ¶ 11.

"In Fiscal Year 2024, ERO removed only 58 Vietnam citizens to Vietnam. ICE is currently not recognizing memorandums of understanding ("MOU" or "MOUs"), and the Government of Vietnam has issued travel documents for every travel document request ERO has submitted since February 2025. The majority of these cases were citizens of Vietnam who entered the United States prior to 1995. ERO is averaging at least two

charter flights of removals to Vietnam per month. The last scheduled flight was on November 17, 2025, and the next charter flight is scheduled for November 23, 2025." Ex. 1 at ¶ 12. "In Fiscal Year 2025, as of September 11, 2025, ERO has removed 569 Vietnam citizens to Vietnam. When ERO has identification documents, the government of Vietnam will issue travel documents without interviewing the subject. When ERO does not have identification documents, the government of Vietnam will conduct an interview of its citizen prior to issuing travel documents." Ex. 1 at ¶ 13.

"Based on [ ] Vietnam's willingness to accept its citizens, and the number of successful removals ERO has made to Vietnam this Fiscal Year, [Deportation Officer McGettrick] believe[s] removal of [Petitioner] to Vietnam is significantly likely in the reasonably foreseeable future." Ex. 1 at ¶ 14.

LEGAL FRAMEWORK

I. Statutory framework for the detention of noncitizens.

ICE's detention authority stems from 8 U.S.C. § 1231, which provides for the detention and removal of aliens with final orders of removal. Section 1231(a)(1)(A) directs immigration authorities to remove an individual with a final order of removal within a period of 90 days, which is known as the "removal period." During the removal period, ICE must detain the alien. 8 U.S.C. ¶ 1231(a)(2) ("shall detain"). If the removal period expires, ICE can either release an individual pursuant to an order of supervision as directed by § 1231(a)(3) or may continue detention under § 1231(a)(6). Section 1231(a)(6) provides, in pertinent part, that an alien who is inadmissible to the United States or one who has been determined by the Attorney General to be a risk to the

community or unlikely to comply with the order of removal, may be detained beyond the removal period.[1]

The Supreme Court held in *Zadvydas* that Section 1231(a)(6) must be read to limit "an alien's post-removal-period detention to a period reasonably necessary to bring about that alien's removal from the United States. It does not permit indefinite detention." *Zadvydas*, 533 U.S. at 689. The Court "conclude[d] that, once removal is no longer reasonably foreseeable, continued detention is no longer authorized by the statute." *Id.* at 699. Detention for six months is presumed to be reasonable. *Id.* at 701; *see also Morales-Fernandez v. INS*, 418 F.3d 1116, 1123 (10th Cir. 2005) ("the reasonable period of post-removal detention is presumptively six months . . ."). As such, in order to establish a claim for habeas relief under the *Zadvydas* rationale, an alien must first prove that he has been in post-order custody for more than six months at the time the habeas petition is filed. *Apau v. Ashcroft*, 2003 WL 21801154, at *2 (N.D. Tex. Jun. 17, 2003) (citing *Akinwale v. Ashcroft*, 287 F.3d 1050, 1052 and n.3 (11th Cir. 2002)); *see also Abiodun v. Mukasey*, 264 F. App'x 726, 729 (10th Cir. 2008) ("Although Abiodun has been detained for longer than six months, that fact standing alone does not mean he must now be released.").

[1] The statutory references to the Attorney General have been characterized by a panel of the Tenth Circuit Court of Appeals as "a legal artifact," and the term "Attorney General" should be read to mean the "Secretary of Homeland Security." *Awe v. Napolitano*, 494 Fed. Appx. 860, 862 n. 3 (10th Cir. 2012); *see also United States v. Sandoval*, 390 F.3d 1294, 1296 n. 2 (10th Cir. 2004) (noting that in March 2003 the Immigration and Naturalization Service "ceased to exist" as an agency within the Department of Justice, and that its functions were transferred to the Department of Homeland Security.

If an alien or non-citizen can demonstrate he has been held longer than the presumptively reasonable six months, they must then provide a good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future. *Soberanes v. Comfort*, 388 F.3d 1305, 1311 (10th Cir. 2004) ("the onus is on the alien to 'provide[ ] good reason to believe that there is no [such] likelihood' before 'the Government must respond with evidence sufficient to rebut that showing.'") (quoting *Zadvydas*, 533 U.S. at 701) (alterations by the Tenth Circuit Court of Appeals); *Diop v. Gonzales*, 2007 WL 2080173, at *1 (W.D. Okla. July 18, 2007); *Khan v. Fasano*, 194 F. Supp. 2d 1134, 1136 (S.D. Cal. 2001) ("*The burden is upon the alien to show that there is no reasonable likelihood of repatriation.*") (emphasis in original). A detained alien cannot establish a claim for relief simply because he is more than six months into his post-order confinement. *Zadvydas,* 533 U.S. at 701. "To the contrary, an alien may be held in confinement until it has been determined that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.* The non-citizen "bears the initial burden of proof in showing that no such likelihood of removal exists." *Andrade v. Gonzales*, 459 F.3d 538, 543 (5th Cir. 2006). Where the non-citizen fails to come forward with this initial offer of proof, the petition is ripe for dismissal. *Nkwanga v. Maurer*, 2006 WL 2475261, at *1 (D. Colo. Aug. 24, 2006).

II. Regulatory framework for the release and revocation of release of noncitizens.

The Code of Federal Regulations sets forth specific provisions regarding the release and revocation of release of a noncitizen with a final order of removal.

Specifically, 8 C.F.R. § 241.4 is entitled "Continued detention of inadmissible, criminal, and other [noncitizens] beyond the removal period" and relates to the release (and the revocation of release) of such noncitizens. Generally, regulations grant authority to designated officials with ICE (formerly the Immigration and Naturalization Service) to grant release or parole to a noncitizen, and the agency may continue a noncitizen's custody under the provisions of the C.F.R. 8 C.F.R. § 241.4(a).

Revocation of release is governed by 8 C.F.R. § 241.4(l). This can occur for two reasons: the noncitizen violates the conditions of release, or ICE determines in its discretion to revoke release. *Id.* § 241.4(l)(1)-(2). If release is revoked due to a violation of conditions under § 241.4(l)(1), the noncitizen must be notified of the reasons for revocation and afforded an initial informal interview promptly after his return to custody, to afford the noncitizen an opportunity to respond to the reasons for revocation stated in the revocation of release notification. *Id.* § 241.4(l)(1). In contrast, the regulation providing for revocation of release in the discretion of ICE has no such language requiring notice of the reason for revocation or for an informal interview upon being taken into custody. *Id. § 241.4(l)(2).* Factors allowing for the revocation of release in the discretion of ICE include: (1) the purpose of the release has been served; (2) the noncitizen violated a condition of release; (3) revocation is appropriate to enforce a removal order or to commence removal proceedings; and (4) the conduct of the noncitizen, or any other circumstance, indicates release would no longer be appropriate. *Id.* §§ 241.4(l)(2)(i)–(iv).

DHS has also enacted regulations for noncitizens who have "provided good reason to believe there is no significant likelihood of removal to the country to which he or she was ordered removed . . . in the reasonably foreseeable future." *Id.* § 241.13(a). Pursuant to that regulation, DHS will release a noncitizen who has made such a showing, subject to appropriate conditions of release. *Id.* § 241.13(g)(1). Similar to the regulations described above, § 241.13 provides for the revocation of release if ICE determines "that there is a significant likelihood that the [noncitizen] may be removed in the reasonably foreseeable future." *Id.* § 241.13(i)(2).

* * *

Petitioner seeks to turn this well-settled statutory and *Zadvydas* framework on its head, seemingly arguing that because he was previously detained in 1997 and released by ICE in 2000, he has already made the requisite showing regarding the likelihood of removal in the reasonably foreseeable future for his *current* detention.

Petitioner appears to conflate his *Zadvydas* request for immediate release with his challenge to ICE's basis for the revocation of his release. *See* Doc. 5 at ¶ 13 (Ground Three). In other words, he attempts to piggyback his *Zadvydas* request on his challenge to ICE's basis for his revocation of release. ICE's determination, however, does not somehow change the analysis for a noncitizen's request for habeas relief based on *Zadvydas*. To hold otherwise would infringe on the discretion given the Executive Branch to execute removal orders. ICE's decision to revoke his release and this Court's evaluation of *Zadvydas* involve different standards and different mechanisms regarding review (if any) by federal courts.

ARGUMENT AND AUTHORITIES

I. Petitioner's Current Detention is Presumptively Reasonable

As explained above, a six-month detention is presumed to be reasonable. Here, Petitioner has been detained twice. His first detainment exceeded six months. However, his second, and current, detainment has lasted 63 days (September 19, 2025, through November 20, 2025). As Petitioner has not *currently* been detained for more than six months, his *current* detention is presumptively reasonable, and he is not entitled to relief.

II. Petitioner does not satisfy his burden of showing no significant likelihood of removal in the reasonably foreseeable future.

If a non-citizen subject to an order of removal has been detained for six months or longer and he "provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future," then, upon that showing, the Government respondents in a habeas corpus action "must respond with evidence sufficient to rebut that showing." *Zadvydas*, 533 U.S. at 701. The initial burden is on the non-citizen: "The petitioner has the burden of coming forward with 'good reason to believe there is no significant likelihood of removal in the reasonably foreseeable future.'" *Mafukidze v. Gonzales*, No. CIV 07-871-W, 2008 WL 395411, at *3 (W.D. Okla. Feb. 11, 2008) (quoting *Zadvydas*, 533 U.S. at 701); *see also Diop v. Gonzales*, No. CIV-07-245-T, 2007 WL 2080173, at *1 (W.D. Okla. July 18, 2007) ("[A]ppellate courts have uniformly held: 'The alien bears the initial burden of proof in showing that no such likelihood of removal exists.'") (quoting *Andrade v. Gonzales,* 459 F.3d 538, 543 (5th Cir. 2006)). "If the petitioner meets this burden, the government must produce sufficient evidence to rebut

petitioner's showing." *Mafukidze*, 2008 WL 395411, at *3 (citing *Zadvydas*, 533 U.S. at 701). Setting aside the fact that Petitioner has not currently been detained for a period in excess of six months, he has failed to satisfy his burden of showing that there is no significant likelihood of removal in the reasonably foreseeable future.

Conclusory allegations do not satisfy a petitioner's burden. *Id.* He must "allege[] or demonstrate[] sufficient evidence to establish 'that there is no significant likelihood of removal in the reasonably foreseeable future.'" *Al-Shewaily v. Mukasey*, No. CIV-07-0946-HE, 2007 WL 4480773, at *5 (W.D. Okla. Dec. 18, 2007) (quoting *Zadvydas*, 533 U.S. at 701). He must present facts indicating that the Government is incapable of executing his removal and that his detention will, therefore, be of an indefinite nature. *Id.* "To carry this burden, an alien subject to an order of removal must present something beyond 'speculation and conjecture.'" *Id.* (quoting *Idowu v. Ridge,* No. 3:03-CV-1293-R, 2003 WL 21805198, at *4 (N.D. Tex. Aug. 4, 2003) (unpublished)). He may satisfy his burden by showing "the existence of either institutional barriers to repatriation to the country in question or barriers peculiar to the individual in question such that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.* (citing *Khan v. Fasano,* 194 F. Supp. 2d 1134, 1136-37 (S.D. Cal. 2001)).

Simply pleading delay is not adequate. *Head v. Keisler*, No. CIV-07-402-F, 2007 WL 4208709, at *3 (W.D. Okla. Nov. 26, 2007). "[A] mere delay does not trigger the inference that an alien will not be removed in the reasonably foreseeable future because 'the reasonableness of detentions pending deportation cannot be divorced from the reality of the bureaucratic delays that almost always attend such removals.'" *Id.* at *4 (quoting

Fahim v. Ashcroft, 227 F. Supp. 2d 1359, 1367 (N.D. Ga. 2002)).[2]

Petitioner fails to allege any particular circumstances of his case that would suggest removal is not likely in the near future. As clearly stated by the Tenth Circuit, "the onus is on the alien" to show that there is no significant likelihood of removal in the reasonably foreseeable future. *Soberanes*, 388 F.3d at 1311. For there to be no significant likelihood of removal in the reasonably foreseeable future, there must be some indication that the United States is unwilling to remove the alien or that the United States is incapable of doing so due to seemingly insurmountable barriers, such as an alien's stateless status or the foreign country's outright refusal to issue travel documents. The mere passage of time, including delays in obtaining travel documents, is not sufficient "unless the delays are so extraordinarily long as to trigger an inference that travel documents will likely never issue at all." *Chen v. Banieke*, No. CIV. 15-2188 DSD/BRT, 2015 WL 4919889, at *4 (D. Minn. Aug. 11, 2015).

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[2] The United States District Court for the Northern District of Georgia added in *Fahim*:

> While the American government can be faulted if its bureaucracy causes delay, it cannot be held responsible for the inefficiencies, or worse, of the bureaucracies of other countries. Clearly, it is no secret that the bureaucracies of second and third world countries, and not a few first world countries, can be inexplicably slow and counter-intuitive in the methods they employ as they lumber along in their decision-making. To conclude that a deportable alien who hails from such a country must be released from detention, with the likely consequence of flight from American authorities back into the hinterlands, simply because his native country is moving slow, would mean that the United States would have effectively ceded its immigration policy to those other countries. The Court does not read the holding in *Zadvydas* as requiring such an extreme result.

Fahim, 227 F. Supp. 2d at 1367.

The fact Petitioner was not removed to Vietnam in 1997 or 2000 does not suggest that the government is incapable of executing his removal in 2025. Indeed, ICE has submitted a travel document request to the government of Vietnam to facilitate his deportation. Further, the United States, in Fiscal Year 2025, as of September 11, 2025, has removed 569 Vietnam citizens to Vietnam. Thus, Petitioner has failed to carry his initial burden of proof under *Zadvydas*.[3] Moreover, Respondent has shown that there is a significant likelihood of removal in the reasonably foreseeable future.

Further, because Petitioner has failed to state a claim pursuant to *Zadvydas*, he "cannot prevail on a substantive due process claim based upon his continued detention." *Mafukidze v. Gonzales*, No. 25-871-W, 2008 WL 395411, *4 (W.D. Okla. Feb. 11, 2008). The Petition should be denied.

III. This Court lacks jurisdiction to review re-detention for the purpose of executing a removal order.

8 U.S.C. § 1252(g) strips district courts of jurisdiction over "any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter." While Petitioner does not challenge "the Attorney General's *decision*

[3] It should be noted that Petitioner's situation is entirely different than the situations of the two petitioners in *Zadvydas*. There, the first petitioner, Kestutis Zadvydas, was born of Lithuanian parents in a refugee camp in Germany. *Zadvyas*, 533 U.S. at 684. Neither Germany nor Lithuania recognized him as a citizen and, thus, he "was literally a man without a country[.]" *Id.* Therefore, it was not likely that any country would accept Zadvydas, despite efforts to repatriate him. The second petitioner, Kim Ho Ma, was a citizen of Cambodia, a country with which the United States has no repatriation agreement. *Id.* at 686. Thus, Ma's repatriation to Cambodia was not possible. Here, there does not appear to be such impediments to Petitioner's repatriation to Vietnam.

to execute his removal order, it does attack the *action* taken to execute that order." *Tazu v. Att'y Gen. United States*, 975 F.3d 292, 298 (3d Cir. 2020) (emphasis in original). Therefore, this Court lacks jurisdiction over Petitioner's challenge to his re-detention to effectuate his removal.

District courts only have jurisdiction that Congress has provided. *Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 377 (1994); *Sheldon v. Sill*, 49 U.S. 441, 448 (1850) ("Congress, having the power to establish the courts, must define their respective jurisdictions."). Pursuant to the 1996 Illegal Immigration Reform and Immigrant Responsibility Act and the 2005 REAL ID Act, this Court is deprived of jurisdiction over this claim under Section 1252(g). As the United States Court of Appeals for the Third Circuit has held, "[t]he text of § 1252(g) resolves this claim. It strips us of jurisdiction to review the Attorney General's "decision or *action* ... to ... execute [a] removal order[ ]." *Tazu,* 975 F. 3d at 298. Section 1252(g) strips district courts of jurisdiction over habeas claims arising from the execution of removal orders, including challenges by noncitizens re-detained for removal. *Id.* at 298-99.

The Court in *Tazu* noted the Petitioner's three-day re-detention and that "[i]f courts had not intervened, it would have removed him just three-and-a-half weeks after re-detaining him." *Id.* The Court clarified that *Tazu*'s re-detention was "simply the enforcement mechanism the Attorney General picked to execute his removal," and Section 1252(g) thus "funnel[ed] review away from the District Court." *Id.* Although the detention in *Tazu* was a three-day detention, the same principle applies here. *See also Westley v. Harper*, No. CV 25-229, 2025 WL 592788, at *4–6 (E.D. La. Feb. 24, 2025)

(finding court lacked jurisdiction to consider challenge to revocation of order of supervision, detention, and arrest); *Najera v. Sessions*, No. CV 18-1333-PHX-DLR (ESW), 2018 WL 11447065, at *3 (D. Ariz. May 15, 2018) ("The decision to revoke Petitioner's order of supervision 'arose from' the decision to 'execute [the] removal order.' 8 U.S.C. § 1252(g). Respondents' revocation decision, therefore, is outside the scope of this Court's review.") (alterations in original). Petitioner has been detained in order to execute a valid removal. As such, this Court lacks jurisdiction over his claim of unlawful re-detention.[4]

Petitioner claims Respondent violated 8 C.F.R. § 241.13. Yet a regulatory violation, if it occurred, does not mandate habeas relief. "Habeas is at its core a remedy for unlawful executive detention. The typical remedy for such detention is, of course, release." *Munaf v. Geren*, 553 U.S. 674, 693 (2008). "The writ, while essential to our political system, is a drastic remedy[; p]ermitting conditions-of-confinement claims to be asserted in petitions for writs of habeas corpus would greatly enlarge the writ and fundamentally change its purpose." *Basri v. Barr*, 469 F. Supp. 3d 1063, 1066 (D. Colo. 2020). While habeas offers relief from unlawful imprisonment or custody, it is not a mechanism for courts to order the fulfillment of administrative requirements or to direct release on that basis. *Nguyen v. Noem*, No. 25-057-H, 2025 WL 2737803, at *7 (N.D.

[4] Another provision of Section 1252 bars this Court's review. 8 U.S.C. § 1252(b)(9) states that if a claim "aris[es] from any action taken or proceeding brought to remove an alien," then review of the claim "shall be available only in judicial review of a final order." *See Tazu*, 975 F.3d at 299. As the *Tazu* Court noted, "the legal questions he raises about the scope of the Attorney General's discretion to re-detain him are bound up with (and thus "aris[e] from") an "action taken" to remove him there. *Id.*

Tex. Aug. 10, 2025). "The Supreme Court [has] made clear that error regarding one's confinement does not mean that release is the appropriate remedy." *Id.* 2025 WL 2737803, at *6 (noting the holding in *Wilkinson v. Dotson*, 544 U.S. 74, 82 (2005), that a state's defective parole system requires renewed review for parole and not release). Petitioner's claim is in the nature of a condition-of-confinement claim, arguing that he should have received a Notice of Revocation of Release and an interview. Thus, it is not clear that, even should the Court both determine it has jurisdiction and that ICE failed to comply with its regulations, the Court could "order the respondents to fulfill these administrative requirements" given the purposes of habeas petitions. *Id.* Release in these circumstances is certainly not a corresponding remedy.

IV. Petitioner's request for extraordinary remedies should be denied.

Petitioner makes extraordinary requests for relief in this habeas case. One such request is for Court action on future potential re-detentions. However, as explained by the United States Supreme Court, "[r]ipeness is a justiciability doctrine designed to prevent the courts, through avoidance of premature adjudication, from entangling themselves in abstract disagreements over administrative policies, and also to protect the agencies from judicial interference until an administrative decision has been formalized and its effects felt in a concrete way by the challenging parties." *Nat'l Park Hosp. Ass'n v. Dep't of Interior*, 538 U.S. 803, 807–08 (2003). Petitioner's request to have the Court enjoin any future detentions subject to certain conditions invites this Court to so "entangle" itself in an abstract issue. It should decline to do so.

CONCLUSION

The Petition should be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 20, 2025, I filed the attached document with the Clerk of Court via Electronic Case Filing System ("ECF") and served the attached document by U.S. Mail to the following who are not registered participants of the ECF System:

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s/ Emily B. Fagan
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