

THE HONORABLE KYMBERLY K. EVANSON
THE HONORABLE S. KATE VAUGHAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

<p>XUAN PHAT DUONG,</p> <p>Petitioner,</p> <p>vs.</p> <p>PAMELA BONDI, Attorney General of the United States, et al.,</p> <p>Respondents.</p>	}	<p>No. CV25-2095-KKE-SKV</p> <p>UNOPPOSED MOTION FOR BRIEFING SCHEDULE AND REQUEST TO WITHDRAW REFERENCE TO MAGISTRATE JUDGE</p> <p>Note on Motion Calendar: November 10, 2025</p>
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I. INTRODUCTION

In order to expedite a ruling by this Court, and to avoid multiple rounds of briefing on Mr. Duong’s petition, the parties have consulted about the briefing schedule in this case and request that the Court modify the schedule as detailed below.

II. FACTUAL BACKGROUND

Mr. Duong filed a habeas corpus petition on October 27, 2025. Dkt. 1. On October 31, 2025, Magistrate Judge S. Kate Vaughan appointed the Federal Public Defender to represent Mr. Duong. Dkt. 6. That same day, Magistrate Judge Vaughan directed Respondents to file a return within 30 days, with Petitioner’s response due within 21 days after the return, and Respondents’ reply due within 28 days after the return. Dkt. 7.

As matters stand, Mr. Duong’s petition is noted for no earlier than 28 days after the return is filed. After that, the parties would await a report and recommendation (R&R), with any objections due within 14 days and any reply to the objections due

1 within another 14 days. In short, this matter would not be ripe for at least six more
2 weeks, plus time for issuance of an R&R, and the parties would have to litigate the
3 matter in a second round of briefing to the District Court through objections to the R&R
4 and reply to the objections.

5 **III. PROPOSED JOINT SCHEDULING**

6 In order to expedite resolution of this matter, Mr. Duong requests—and the
7 government does not oppose—that the Court withdraw the referral to Magistrate Judge
8 Vaughan to expedite a final ruling by the Court. In addition, Respondents have further
9 agreed to file a return by November 21, 2025, and waive their right to a reply to
10 Petitioner’s response. Petitioner’s response would be due November 28, 2025. The
11 matter would then be noted for November 28, 2025.

12 This motion and request are modeled on orders issued in multiple cases in this
13 district, including in *Pham v. Bondi*, CV25-1835-BHS-SKV (dkt. 10), *Tran v. Scott*,
14 CV25-1886-TMC-BAT (dkt. 8), and *Hambarsonpour v. Bondi*, CV25-1802-RSM
15 (dkt. 11), which expedited briefing and withdrew the reference to the Magistrate Judge.

16 Counsel has communicated with AUSA Alixandria Morris, who states that
17 Respondents do not oppose this motion.

18 DATED this 10th day of November 2025.

19 Respectfully submitted,

20 *s/ Colin Fieman*
21 Attorney for Xuan Phat Duong

22 I certify this motion contains 359 words in compliance with the Local Civil Rules.
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