

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

Xuan Nguyen,

Case No.: 25-CV-01355-G

Petitioner

v.

**PETITIONER’S MOTION FOR
ORDER TO SHOW CAUSE AS TO
WHY RESPONDENTS SHOULD NOT
BE HELD IN CIVIL CONTEMPT**

Pamela Bondi, Attorney General; Kristi Noem, Secretary of Homeland Security; Todd M. Lyons, Acting Director of U.S. Immigration & Customs Enforcement; Marcos Charles, Acting Executive Associate Director for Enforcement and Removal Operations; Mark Siegel, Field Office Director for Enforcement and Removal Operations; U.S. Immigration & Customs Enforcement; U.S. Department of Homeland Security; Scarlet Grant, Warden of Cimarron Correctional Facility.

Respondents.

On November 15, 2025, Mr. Xuan Nguyen (“Petitioner”) filed a writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. On November 17, 2025 the Court issued an Order directing Respondents to Answer the petition, and ordering Respondent to “file written notice at least seventy-two hours before removing, transferring, relocating, or otherwise removing Petitioner, regardless of whether the new location is within the territorial jurisdiction of the Western District of Oklahoma.” ECF No. 9 at 2.

On December 1, 2025, the federal respondents filed a Notice stating that they “intend to remove Petitioner Xuan Nguyen from the United States in December 2025.”

ECF No. 11. On December 9, 2025, after a bit of back and forth, Respondents filed a subsequent notice stating that “counsel for Federal Respondents was informed on December 8, 2025, that Petitioner was being detained at the Prairieland Detention Center in Alvarado, Texas,” which counsel apparently confirmed on December 9. ECF No. 16. Counsel stated that “ERO is transferring Petitioner back to the Cimarron Correctional Facility.”

As of December 15, 2025, it is the undersigned counsel’s understanding that Petitioner remains in Alvarado, Texas.

This motion is premised on 28 U.S.C. § 1784 and Respondents’ plain and ongoing violation of ECF No. 9. If proof that Petitioner is currently in transit back to Oklahoma (or has already been transported back to Oklahoma) at the time this motion is filed (around 3:48pm Central Time on December 15, 2025) is provided, Petitioner will withdraw the motion upon receipt of adequate proof from Respondents’ counsel.

DATED: December 15, 2025

Respectfully submitted,

RATKOWSKI LAW PLLC

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