

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

XUAN NGUYEN,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-25-1355-G
)	
PAMELA J. BONDI, et al.,)	
)	
Respondents.)	

ORDER

Before the Court is Petitioner’s Motion for Order to Show Cause as to Why Respondents Should Not Be Held in Contempt (“Motion”).¹ Doc. 20. For the reasons stated below, Petitioner’s Motion is **DENIED**. Separately, the Court **ORDERS** that not later than **December 31, 2025**, Respondents shall provide a status update on the whereabouts of Petitioner and whether he is scheduled on any future removal flight.

I. Background

On November 15, 2025, Petitioner filed his Verified Petition for Writ of Habeas Corpus (“Petition”). Doc. 1. On November 17, 2025, the Court ordered Respondents to respond to the Petition within 14 days. Doc. 9 at 1. In that Order, the Court also required Respondents to “file written notice at least seventy-two hours before removing, transferring, relocating, or otherwise moving Petitioner” so the Court could keep track of

¹ Because Petitioner’s Motion was filed on December 15, 2025, the response is not due until January 5, 2026. LCvR7.1(g) (allowing 21 days for each party opposing a motion to file a response). However, due to the time-sensitive nature of these proceedings, the Court deems it unnecessary to wait for the response deadline to pass before ruling on the Motion.

its litigants and ensure that the case does not become moot. *Id.* at 2. On December 1, 2025, Respondents notified the Court that they “intend to remove Petitioner Xuan Nguyen from the United States in December 2025.” Doc. 11 at 1. On that same day, Respondents elaborated in their response to the Petition that Petitioner was “scheduled for a chartered removal flight to Vietnam on December 14, 2025.” Doc. 12 at 4-5.

On December 8, 2025, Respondents stated that Petitioner “has been taken off the December 14 flight manifest” but Respondents still “intend to effect his removal on a later flight.” Doc. 15 at 11 (citation modified). Respondents further stated they “still intend to remove Petitioner, but it appears unlikely that he will be removed in December 2025.” *Id.* at 11 n.4. The following day, Respondents informed the Court that “Petitioner was being detained at the Prairieland Detention Center in Alvarado, Texas,” as of December 9, 2025, but Respondents were “transferring Petitioner back to the Cimarron Correctional Facility.” Doc. 16 at 1-2.

On December 15, 2025, Petitioner filed his Motion stating that it was his counsel’s understanding that Petitioner remained detained at Prairieland Detention Center in Texas. Mot. at 2. Separately, the Court takes notice that according to the Immigration and Customs Enforcement’s Detainee Locator, Petitioner is currently being detained at a third facility, Bluebonnet Detention Facility, in Anson, Texas. ICE Online Detainee Locator System, at <https://locator.ice.gov/odls/#/results> (last visited Dec. 24, 2025).

In his Motion, Petitioner makes no specific requests but states that “this motion is premised on 28 U.S.C. § 1784 and Respondents’ plain and ongoing violation of [the Court’s Order for Response].” Mot. at 2 (citation modified). The Court reads Petitioner’s

Motion to be seeking an order holding Respondents in contempt because Petitioner has not yet returned to Cimarron Correctional Facility, where he was detained when he filed his Petition.

II. Analysis

A. Petitioner's Motion is denied.

Petitioner's Motion is denied because it seeks relief that the Court cannot provide. Petitioner cites 28 U.S.C. § 1784 as the basis for the Motion, which allows a court to issue an order to show cause when a person has failed to appear or failed to produce a document at a designated time. However, § 1784 relates to subpoenas served in a foreign country, which is not applicable here. *See* 28 U.S.C. § 1784(a) ("The court of the United States which has issued a subpoena *served in a foreign country* may order the person . . . to show cause before it at a designated time why he should not be punished for contempt." (emphasis added)). Further, to the extent Petitioner is seeking sanctions or contempt proceedings, the conduct of Respondents based on the current record does not rise to such a serious degree. Accordingly, Petitioner's Motion is **DENIED** without prejudice.

B. Respondents shall file a status report.

Notwithstanding denial of Petitioner's Motion, the Court recognizes that Petitioner has not been transferred back to the Cimarron Correctional Facility and is instead now detained at a third facility, the Bluebonnet Detention Facility. Respondents have not informed the Court of Petitioner's transfer to Bluebonnet. Further, Respondents have not informed the Court about whether Petitioner's transfer is for effectuating his removal on an upcoming charter flight, as previously stated, or whether his transfer is for some other

purpose. It is imperative for Respondents to advise the Court of Petitioner's location and of any transfer for the purpose of effectuating his removal, as the Court is determining whether Petitioner is entitled to habeas relief.

Accordingly, Respondents shall confirm Petitioner's current whereabouts and inform the Court whether Petitioner is scheduled on any future removal flight. Respondents shall file a status report not later than **December 31, 2025**.

III. Conclusion

Petitioner's Motion for Order to Show Cause as to Why Respondents Should Not Be Held in Contempt, Doc. 20, is **DENIED**. Separately, Respondents shall file a status report not later than **December 31, 2025**, that:

- confirms Petitioner's current whereabouts; and
- informs the Court whether Petitioner is scheduled on any future removal flight.

IT IS SO ORDERED this 24th day of December, 2025.


CHRIS M. STEPHENS
UNITED STATES MAGISTRATE JUDGE