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14 **IN THE UNITED STATES DISTRICT COURT**

15 **FOR THE DISTRICT OF ARIZONA**

16 Tanh Van Tran,

17 Petitioner,

18 v.

19 David Rivas, *et al.*,

20 Respondents.

No. CV-25-04329-PHX-MTL (CDB)

JOINT STATUS REPORT

21 Pursuant to the Court's order of November 24, 2025 (Doc. 7), Respondents hereby
22 file this Joint Status Report on Petitioner's Motion for Limited Discovery (Doc. 4). The
23 Court ordered the parties to meet and confer regarding any objections that Respondents
24 may have. The parties have largely resolved the issue of discovery, but Respondents wish
25 to reserve the right to object to one aspect of the requested discovery. The parties provide
26 the Court with the results of their discussions in this Joint Status Report.

27 In his Motion for Limited Discovery, Petitioner requested five categories of
28 discovery, which are reproduced below:

1. Mr. Tran's entire A-file;
2. Any and all requests from ICE to any diplomatic representative of the Socialist Republic of Vietnam pertaining to travel documents that would "facilitate" Mr.

- 1 Tran's removal to Vietnam, and any responsive or related correspondence to or
2 from those diplomatic representatives pertaining to these requests for travel
3 documents;
- 4 3. A full and complete copy of the memorandum of understanding signed on
5 November 21, 2020, between the governments of the United States and the
6 Socialist Republic of Vietnam, a redacted copy of which was attached to the
7 second amended petition filed in this matter.
- 8 4. Any and all documents relating to the periodic custody reviews described in 8
9 C.F.R. § 241.4 for all periods of time that Mr. Tran has been in ICE custody; and
- 10 5. Any and all documents relating to any determination under 8 C.F.R. § 241.13 and
11 8 C.F.R. § 241.14 regarding whether there is a significant likelihood of removing
12 Mr. Tran in the reasonably foreseeable future.

13

14 Doc. 4 at 2.

15 Counsel for Petitioner and counsel for Respondents agreed on a resolution for four
16 of the five categories of requested production. The resolution is detailed below:

- 17 1. Petitioner agreed to narrow this request to "any and all documents, not otherwise
18 specifically requested, in Petitioner's A-File that pertain to Respondents' ability to
19 remove Mr. Tran in the reasonably foreseeable future, specifically including
20 documents that relate to prior or current removal efforts." Respondents do not
21 object to this request.
- 22 2. Respondents agreed to determine whether they have any communications that are
23 responsive to this request. If any responsive documents exist, counsel for
24 Respondents agreed that he will review them for privilege expeditiously and will
25 confer again with counsel for Petitioner if he intends to assert any privilege.
- 26 3. The undersigned has requested that Respondents determine whether they have a
27 copy of the unredacted MOU, and if so, that they provide it to him so that he can
28 review it for privilege. Respondents anticipate that the redacted material may be

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privileged, and they are unwilling to waive privilege at this time.

- 4. Petitioner and Respondents agree that Respondents will produce any finalized periodic custody reviews.
- 5. Petitioner and Respondents agree that Respondents will produce any final, formal determinations that are responsive to this request.

Respondents note that the Court set a production deadline on December 19, and Respondents will endeavor to produce the requested documents as quickly as is practicable. The parties also anticipate filing a joint motion to permit Privacy Act disclosures and for a protective order in due course.

RESPECTFULLY SUBMITTED on December 2, 2025.

TIMOTHY COURCHINE
United States Attorney
District of Arizona

s/ Brooks Chupp
BROOKS CHUPP
Assistant United States Attorney
Attorneys for Respondents

JON M. SANDS
Federal Public Defender

s/ Keith J. Hilzendege (with permission)
KEITH J. HILZENDEGER
Assistant Federal Public Defender
Attorney for Petitioner Tran

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CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2025, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing.

s/M. Beickert
United States Attorney's Office