

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**RISEEPAN
SACHCHITHANANTHAN-
PAKEERATHAN**

Petitioner

Y.

GRANT DICKEY, *et al.*

Respondents.

=====

CIVIL NO. 4:25-cv-5660

**EMERGENCY MOTION TO ENFORCE COURT'S DECEMBER 11, 2025 ORDER AND
FOR IMMEDIATE RELEASE**

I. INTRODUCTION

Petitioner Riseepan Sachchithananthan-Pakeerathan respectfully moves for emergency enforcement of this Court's December 11, 2025 Order. That Order required Respondents to submit, by December 24, 2025, concrete evidence that Petitioner's travel documents had been approved or evidence establishing a date certain by which removal would occur. The Court expressly warned that if such evidence were not provided, "the petition and/or the motion for preliminary relief will likely be granted."

Respondents failed to comply. Petitioner remains detained. Continued custody is now unlawful and in direct contravention of the Court's Order. Immediate enforcement is required.

II. PROCEDURAL BACKGROUND

1. Petitioner filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging his prolonged post-order detention under 8 U.S.C. § 1231.
2. On December 11, 2025, the Court held a show-cause hearing and addressed Petitioner's habeas petition and request for injunctive relief.
3. The Court denied immediate TRO relief but explicitly conditioned further detention on Respondents' submission of a factual filing by December 24, 2025, supported by "concrete evidence that travel documents for Petitioner have been approved or otherwise giving evidence to indicate a date certain by which removal will occur."
4. The Court further stated that absent such evidence, "the petition and/or the motion for preliminary relief will likely be granted."
5. The December 24 deadline has passed. Respondents have not produced evidence sufficient to satisfy the Court's Order. Petitioner remains in ICE custody.

III. RESPONDENTS ARE IN NON-COMPLIANCE WITH A COURT ORDER

The Court's December 11 Order was clear, mandatory, and unambiguous. Respondents were given a specific deadline and a defined evidentiary burden. They failed to meet it.

Continued detention without the factual showing ordered by the Court is no longer a discretionary enforcement decision—it is detention without judicial authorization.

At this point, Respondents are not merely defending detention under § 1231. They are detaining Petitioner in defiance of a federal court order.

Federal courts possess inherent authority to enforce compliance with their orders, particularly in habeas cases where liberty is at stake. See *Zadvydas v. Davis*, 533 U.S. 678, 699–700 (2001) (continued detention without a realistic prospect of removal exceeds statutory and constitutional authority).

IV. ENFORCEMENT AND IMMEDIATE RELEASE ARE THE APPROPRIATE REMEDY

This Court already identified the consequence of non-compliance: habeas relief or preliminary release. No additional evidentiary hearing is required. The government had notice, opportunity, and a clear directive.

Where the government fails to justify continued detention after being ordered to do so, release is not extraordinary—it is the presumptive remedy. See *Zadvydas*, 533 U.S. at 701 (“Once removal is no longer reasonably foreseeable, continued detention is no longer authorized.”).

Further delay would reward non-compliance and undermine the Court’s authority.

V. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

1. **Enforce its December 11, 2025 Order;**

2. **Order Respondents to immediately release Petitioner from ICE custody;**
3. Alternatively, order Respondents to release Petitioner by a date certain not to exceed 24 hours;
4. Retain jurisdiction to ensure compliance; and
5. Grant such other relief as the Court deems just and proper.

VI. EXPEDITED CONSIDERATION REQUESTED

Petitioner remains unlawfully detained each day this violation continues. Emergency consideration is warranted.

Respectfully submitted,

/s/ Matthew R. Mendez

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Attorney for Petitioner

CERTIFICATE OF SERVICE

On December 26, 2025, Counsel for Plaintiff served a copy of the attached TRO via USPS Certified Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, GRANT DICKEY, in his official capacity as Warden of the Montgomery Processing Center;** at the Immigration and Customs Enforcement (“ICE”) Montgomery Processing Center, located at 806 Hilbig Road, Conroe, TX 77301.

/S/ Matthew Mendez
Matthew Mendez
Attorney for Petitioner

12/26/25
Date

CERTIFICATE OF SERVICE

On December 26, 2025, Counsel for Plaintiff served a copy of the attached TRO via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Bret Bradford, in his Official Capacity as Field Office Director, of ICE Enforcement and Removal Operations Houston Field Office**, at (1) Office of the Field Office Director, Enforcement and Removal Operations, Houston Field Office, 126 Northpoint Drive, Houston, Texas 77060, and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/S/ Matthew Mendez
Matthew Mendez
Attorney for Petitioner

12/26/25
Date

CERTIFICATE OF SERVICE

On December 26, 2025, Counsel for Plaintiff served a copy of the attached TRO via USPS Mail, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the **Respondent, Kristi Noem, in her Official Capacity as Director of U.S. Department of Homeland Security**, at (1) Office of General Counsel, U.S. Department of Homeland Security, 245 Murray Lane, SW, Mail Stop 0485, Washington, D.C. 20530; and (2) to the United States at Civil Process Clerk, U.S. Attorney's Office, 1000 Louisiana Street, Suite 2300, Houston, Texas 77002.

/S/ Matthew Mendez
Matthew Mendez
Attorney for Petitioner

12/26/25
Date

CERTIFICATE OF SERVICE

On December 26, 2025, Counsel for Plaintiff served a copy of the attached TRO via email, in compliance with Rule 4 of Federal Rules of Civil Procedure, upon the Respondent, Pam Bondi, in her Official Capacity as Attorney General of the United States, at USATXS.CivilNotice@usdoj.gov.

/S/ Matthew Mendez
Matthew Mendez

12/26/25
Date