

1 HEATHER E. WILLIAMS, Bar No. 122664
Federal Defender
2 CAROLYN M. WIGGIN, Bar No. 182732
Assistant Federal Defender
3 801 I Street, 3rd Floor
Sacramento, CA 95814
4 Tel: (916) 498-5700
Fax: (916) 498-5710

5 Attorney for Petitioner
6 YOUB PEK

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 YOUB PEK,) Case No. 1:25-cv-01696-DC-SCR
11)
Petitioner,)
12 vs.) **PETITIONER’S SUPPLEMENTAL REPLY**
13) **IN SUPPORT OF PETITION FOR WRIT OF**
WARDEN OF THE GOLDEN STATE) **HABEAS CORPUS**
14 ANNEX, ET AL.,)
15 Respondents.)

16 On January 8, 2026, Respondents submitted filed a deportation officer’s declaration
17 stating that Mr. Pek had a virtual nationality interview with the Cambodian Embassy on January
18 5, 2026. Declaration of Deportation Officer Mayra Gallenkamp, ECF No. 19-1, p. 1, ¶ 5. The
19 declaration does not state that Cambodia has agreed to issue a travel document for Mr. Pek.

20 It appears that Respondents are still in the midst of their request for a travel document
21 for Mr. Pek. As briefed in Mr. Pek’s Reply in support of his petition, many courts have agreed
22 that requesting travel documents does not itself make removal reasonably likely. *See, e.g., Hoac*
23 *v. Becerra*, No. 2:25-CV-01740-DC-JDP, 2025 WL 1993771, at *4 (E.D. Cal. July 16, 2025)
24 (“[t]he fact that Respondents intend to complete a travel document request for Petitioner does not
25 make it significantly likely he will be removed in the foreseeable future.”); *Suong v. Bondi*, No.
26 2:25-CV-02309-LK, 2025 WL 3718644, at *4 (W.D. Wash. Dec. 23, 2025) (fact that ICE
27 requested travel documents from Cambodia not sufficient to show likelihood of removal to
28 Cambodia in reasonably foreseeable future); *Baltodano v. Bondi*, No. C25-1958. 2025 WL

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3484769, at *5 (W.D. Wash. Dec. 4, 2025) (“Courts in this circuit have regularly refused to find Respondents’ burden met where Respondents have offered little more than generalizations regarding the likelihood that removal will occur.”)

Because Respondents cannot meet their burden of showing Mr. Pek is significantly likely to be removed in the reasonably foreseeable future, this Court should grant Mr. Pek’s petition on Ground One because he has been detained for more than six months since he was ordered removed and his removal is not likely in the reasonably foreseeable future.

In addition, for the reasons stated in Mr. Pek’s Petition and Reply in Support of his Petition, this Court should grant Mr. Pek’s petition with respect to Grounds Two and Three regarding third country removal.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: January 9, 2026

/s/ Carolyn M. Wiggins
CAROLYN M. WIGGIN
Assistant Federal Defender
Attorney for Petitioner
YOUB PEK