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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 EASTERN DISTRICT OF CALIFORNIA

9 YOUB PEK,

10 Petitioner,

11 v.

12 WARDEN OF GOLDEN STATE ANNEX, ET  
AL.,

13 Respondents.  
14

CASE NO. 1:25-CV-01696-DC-SCR

MOTION TO LIFT THE STAY; [PROPOSED]  
ORDER

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16 The United States of America requests that the Court lift the stay (ECF 5) so that DHS may  
17 execute a final removal order for Petitioner. As outlined in the fourth declaration (ECF 21-1), on January  
18 9, 2026, DHS received a Cambodian travel document for Petitioner and he is now scheduled to be  
19 removed to Cambodia, his country of citizenship, via a removal charter flight within the next two weeks.  
20 To make his removal charter flight next week, DHS needs to transfer him outside of the Eastern District  
21 of California by tomorrow, January 15, 2026. DHS is unable make this transfer due to the Court's stay.  
22 Pursuant to 8 U.S.C. § 1252(g), this Court has no jurisdiction to "hear any cause or claim by or on behalf  
23 of any alien arising from a decision or action by the Attorney General to .... execute removal orders...."  
24 Furthermore, the execution of final removal orders moots the facts of his pending habeas petition. *See*  
25 *Picrin-Peron v. Rison*, 930 F.2d 773, 776 (9th Cir. 1991). The United States respectfully requests that  
26 this Court lift the stay preventing respondent from transferring petitioner outside of this judicial district.  
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1 Dated: January 14, 2026

ERIC GRANT  
United States Attorney

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3 By: /s/ Tara Amin  
4 TARA AMIN  
Assistant United States Attorney

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