

United States District Court  
Western District of Texas  
San Antonio Division

Phu Toan Pham Nguyen,  
Petitioner,

v.

Bobby Thompson, Warden,  
South Texas Ice Processing Center, *et al.*  
Respondents.

No. 5:25-cv-01609-FB

**Advisory to the Court**

Respondents file this Advisory to notify the Court of Petitioner's physical removal from the United States, which action moots this habeas challenge to the legality of his extended detention. *See Bacilio-Sabastian v. Barr*, 980 F.3d 480, 483 (5th Cir. 2020); *Ortez v. Chandler*, 845 F.2d 573, 575 (5th Cir. 1988); *Riley v. I.N.S.*, 310 F.3d 1253, 1257 (10th Cir. 2002); *Virani v. Huron*, 2020 WL 7405655, at \*3 (W.D. Tex. Dec. 17, 2020). On or about November 25, 2025, Petitioner brought this habeas claim, seeking release from detention. ECF No. 1. The Court ordered a response 30 days from the date of service. ECF No 3. Respondents were due to respond to the petition on January 16, 2026. On January 12, 2026, ICE executed Petitioner's final order of removal. *See* Exh. 1 (Executed ICE Form I-205 (redacted)). The relief Petitioner sought, namely release, has already occurred. This petition is, therefore, moot.

Respectfully submitted,

Justin R. Simmons  
United States Attorney

By: /s/ Fidel Esparza III

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#### **Certificate of Service**

Respondents have not served this *pro se* Petitioner with a copy of this filing, as he is no longer detained at the address on file with the Court. Moreover, the undersigned does not have any forwarding address for Petitioner outside of the United States. As such, service on Petitioner through mail would be futile.

/s/ Fidel Esparza III  
Fidel Esparza III  
Assistant U.S. Attorney