

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

Bon Nguyen,

Case No.: 25-CV-5827

Petitioner

v.

Pamela Bondi, Attorney General; et al.,

Respondents.

**PETITIONER'S RESPONSE IN
OPPOSITION TO RESPONDENTS'
MOTION FOR EXTENSION OF
TIME TO FILE RESPONSIVE
PLEADING**

On December 4, 2025, Mr. Bon Nguyen ("Petitioner") filed a verified petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. Although Petitioner stated on the face of his petition that he requested expedited processing under 28 U.S.C. § 1657, Petitioner hereby also formally moved the Court for expedited processing for good cause. ECF No. 4. On December 8, 2025, the Court issued an Order to Answer, giving the government 7 days, or until December 15, 2025 to file responsive pleadings. ECF No. 5. On day the Answer is due, Respondents request an extension of time to respond, failing to demonstrate good cause for granting the motion.

As Petitioner's motion to expedite explained, long response periods are not favored where liberty interests are at stake, and it is unclear why Respondents did not bother communicating to the assigned attorney her responsibility to respond until December 11. The United States of America is perhaps the most sophisticated and capable litigant in the entire country. It should not require additional time above that already provided to provide

a response due to what sounds like a run of the mill and wholly avoidable communication problem.

As the motion to expedite stated, courts consistently deny extensions when delay would prejudice a habeas petitioner by prolonging unlawful custody. *See Lonchar v. Thomas*, 517 U.S. 314, 324–25 (1996) (emphasizing special urgency of habeas cases); *Boumediene v. Bush*, 553 U.S. 723, 742 (2008) (habeas is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action). Unlike in ordinary civil litigation, delay here means another day of unconstitutional imprisonment. Every additional day Petitioner remains detained without legal justification constitutes irreparable harm. *See Matacua v. Frank*, 308 F. Supp. 3d 1019, 1025 (D. Minn. 2018) (loss of liberty is the paradigmatic irreparable harm).

Respondents' motion for an extension should be denied, and the Court should grant the petition as an unopposed or otherwise confessed petition in the event Respondents do not submit responsive pleadings before midnight tonight.

DATED: December 15, 2025

Respectfully submitted,

RATKOWSKI LAW PLLC

/s/ Nico Ratkowski

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Attorney for Petitioner

CERTIFICATE OF SERVICE

I certify that on December 15, 2025, the foregoing was filed and served on counsel for Respondents via the Court's CM/ECF service.

/s/ Nico Ratkowski
Nico Ratkowski, Esq.