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7 Attorneys for Respondents

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10

11 SAVATH DIPRASEUTH,

12 Petitioner,

13 v.

14 KRISTI NOEM; et al.,

15 Respondents.

Case No.: 25-cv-3471-JLS-BJW

**NOTICE REGARDING
EXECUTION OF ORDER OF
REMOVAL**

16

17 Respondents hereby submit this supplemental notice regarding execution of the
18 order of removal. The petition for writ of habeas corpus in this case was filed on
19 December 8, 2025, at 5:01 p.m. [ECF 1.] On December 9, 2025, at 1:09 p.m., this Court
20 issued its order requiring a response to the petition to be filed by Respondents on or
21 before December 15, 2025. [ECF 3.]

22 On December 9, 2025, at 2:36 p.m., counsel for Respondents learned that ICE
23 intended to execute the order of removal prior to December 15, 2025. Shortly thereafter,
24 at 2:58 p.m. on December 9, 2025, counsel for Respondents emailed counsel for
25 Petitioner to advise her of ICE's intent to remove Petitioner prior to the date the Court
26 required a response to be filed by Respondents and noted that the Court, in its order to
27 respond, did not enjoin removal out of the district. Petitioner's counsel responded by
28 email at 3:00 p.m. stating that she "appreciate[d] the advance notice" and without

1 requesting any particular relief. On December 9, 2025, at 5:07 p.m., Respondents filed
2 its notice with this Court, that ICE intended to execute Petitioner’s order of removal no
3 later than December 15, 2025. [ECF 5.]

4 On December 11, 2025, at 3:52 p.m. the Court issued an order that “Respondents
5 SHALL NOT remove Petitioner from the Court’s jurisdiction until the Court has issued
6 a ruling on the Petition.” Counsel for Respondents immediately notified ICE of the
7 Court’s order by email at 3:56 p.m. ICE confirmed receipt of the Court’s order at 4:02
8 p.m. Subsequently, counsel for Respondents learned, however, that on December 11,
9 2025, at 11:00 a.m., Petitioner had been transferred out of the Otay Mesa Detention
10 Center and taken to a location for a flight out of San Diego to a staging area in another
11 state. Petitioner (and others) boarded the flight at 3:30 p.m., and the flight departed
12 around 4:00 p.m. Thus, while Petitioner is still within the United States, he is no longer
13 within this District. Counsel for Respondents advised counsel for Petitioner of these
14 facts by email and phone call prior to the filing of this notice.

15 Because of the sequence of events, and because Petitioner is no longer within this
16 District, Respondents respectfully request that the Court withdraw its order and permit
17 removal to proceed as scheduled.

18 DATED: December 11, 2025

ADAM GORDON
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21 ERIN M. DIMBLEBY
22 Assistant United States Attorney
Attorneys for Respondents