


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

United States Courts
Southern District of Texas
FILED

DEC 19 2025

Nathan Ochsner, Clerk of Court

SOLOMON AYOR, A 
*by and through his next friend, Chinwe
Irene Ayor*

Petitioner,

VS.

CIVIL ACTION NO. 4:25-cv-06030

WARDEN, HOUSTON CONTRACT
DETENTION FACILITY, *et al.*

Respondents.

PETITIONER'S RESPONSE TO ORDER TO SHOW CAUSE

Petitioner Solomon Ayor, by and through his Next Friend, Chinwe Irene Ayor, respectfully submits this Reply to Respondents' Response to the Court's Order to Show Cause (Dkt. 8).

I. Respondents Have Failed to Show That Removal Is Imminent

Respondents assert that Mr. Ayor is detained pursuant to 8 U.S.C. § 1231 for the purpose of effectuating his removal. (Resp. at 2.) However, Respondents provide no evidence that removal is actually imminent or reasonably foreseeable.

Respondents attach only a thirteen-year-old removal order and a thirteen-year-old BIA decision. (Exs. 8-1, 8-2.) They provide no current travel documents, no flight arrangements, and no correspondence from the Nigerian consulate indicating that removal is underway.

The removal order became final in 2012. The Government has had more than thirteen years to effectuate removal and has not done so. That extended history of non-removal weighs heavily against any claim that removal is now imminent.

Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), post-order detention is constitutionally permissible only where removal is reasonably foreseeable. A bare assertion that removal may occur at some undefined point in the future is insufficient. Respondents have failed to meet their burden.

Moreover, this Court has already entered an injunction preventing Mr. Ayor's removal from the Southern District of Texas during the pendency of these proceedings. Removal is therefore not imminent as a matter of law or fact.

II. Respondents Fail to Address the Due Process Violation

Respondents argue in general terms that detention is authorized by statute. That argument ignores the arbitrary and punitive nature of this specific detention.

Mr. Ayor was released under an Order of Supervision for over thirteen years. During that time, he complied with every condition, appeared for all required check-ins, never absconded, and committed no criminal offenses.

Revoking supervision after more than a decade of perfect compliance—without any new violation, risk assessment, or change in circumstances—is arbitrary and punitive. Detention under these circumstances violates the Due Process Clause of the Fifth Amendment.

Respondents do not explain why Mr. Ayor, who successfully complied with supervision for over a decade, suddenly requires incarceration rather than continued supervision.

III. Respondents Ignore the Impact on U.S. Citizen Family Members

Respondents' brief does not address the equities or the severe hardship imposed on U.S. citizens by continued detention.

Mr. Ayor is the sole financial provider for his household, which includes three minor U.S. citizen children. His detention has eliminated the family's only source of income and placed U.S. citizens at immediate risk of financial instability.

Mr. Ayor also has a pending Motion to Reopen based on changed country conditions, further underscoring that detention does not meaningfully advance removal.

IV. Conclusion

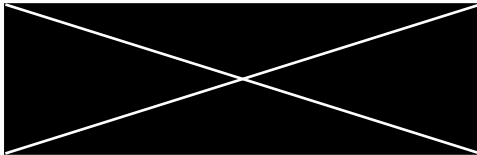
Respondents have established only that Mr. Ayor has a long-standing removal order, a fact that has never been in dispute. They have failed to demonstrate that removal is imminent, reasonably foreseeable, or that continued detention serves any legitimate governmental purpose after thirteen years of successful supervision.

Petitioner respectfully requests that the Court grant the writ of habeas corpus, or, in the alternative, order immediate release under supervision or a prompt bond hearing, as contemplated by the Court's Order to Show Cause.

Respectfully submitted,



Chinwe Irene Ayor
Wife and Next Friend of Solomon Ayor
Pro Se



Dated: December 19, 2025

CERTIFICATE OF SERVICE

I certify that on **December 19, 2025**, I served a true and correct copy of the foregoing **Petitioner's Reply to Respondents' Response to Order to Show Cause** upon the following parties by the methods indicated below:

VIA ELECTRONIC MAIL AND U.S. MAIL:

Jimmy A. Rodriguez Assistant United States Attorney Southern District of Texas 1000 Louisiana, Suite 2300 Houston, Texas 77002 Email: **Jimmy.Rodriguez2@usdoj.gov**
(Attorney for Respondents)

VIA U.S. CERTIFIED MAIL:

Warden Houston Contract Detention Facility 15850 Export Plaza Drive Houston, TX 77032

Attorney General of the United States U.S. Department of Justice 950 Pennsylvania Avenue, NW Washington, DC 20530

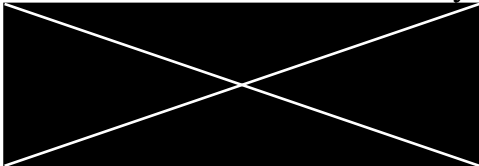
Secretary of Homeland Security U.S. Department of Homeland Security 2707 Martin Luther King Jr. Ave SE Washington, DC 20528

ICE Office of the Principal Legal Advisor (OPLA) Houston Field Office 126 Northpoint Drive Houston, TX 77060

Respectfully submitted,



Chinwe Irene Ayor
Wife and Next Friend of Solomon Ayor *Pro Se*



Dated: December 19, 2025