

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**








AHMED GUMA)	
ELTAYEB HUSSIEN,)	
Petitioner,)	
)	
v.)	Case No. CIV-26-00004-JD
)	
WARDEN OF CIMARRON)	
CORRECTIONAL FACILITY, ET AL.,)	
Respondents.)	

**FEDERAL RESPONDENTS' RESPONSE TO SHOW CAUSE
ORDER AND MOTION FOR LEAVE TO FILE RESPONSE OUT OF TIME**

NOW COME Respondents Acting Director of United States Immigration and Customs Enforcement (ICE) Todd Lyons, Secretary of Homeland Security Kristi Noem, and United States Attorney General Pamela Bondi (collectively, the “Federal Respondents”), who, for response to the Court’s Show Cause Order [Doc. 14] directing them to show cause for their failure to file a timely response to the Verified Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief (“Petition”) [Doc. 1], respectfully submit the following:

A. Response to Show Cause Order:

The undersigned counsel for the Federal Respondents prepared and completed a response for filing on Friday, January 23, 2026. As noted by the Show Cause Order [Doc. 14], the Clerk’s office was closed on that date due to inclement weather, and the undersigned counsel was working remotely. The following pdf files are in counsel’s “00 ECF Folder” which he uses to electronically file documents with the Court:

-  Hussien - Response to petition.pdf
-  Hussien Att 2 - Form I-589_Redacted with footer.pdf
-  Hussien Att 3 - Notice of master hearing.pdf
-  Hussien Att 2 - Form I-589_Redacted.pdf
-  Hussien Att 2 - Form I-589.pdf
-  Hussien Att 1 - NTA_Redacted.pdf
-  Hussien Att 1 - NTA.pdf

Counsel believes that while working from home the night of January 23, 2026, he initiated but did not complete the electronic filing process for the response and its attachments.

B. Motion for Leave to File Response Out of Time:

The Federal Respondents respectfully move for an order of this Honorable Court granting them leave to file their response out of time. In accordance with Local Civil Rule 6.3,¹ the Federal Respondents submit the following:

1. The date the act was due to occur:

The Court's Order [Doc. 9] of January 9, 2026, directed the filing of an answer or other response no later than Friday, January 23, 2026. That deadline was extended to Tuesday, January 27, 2026. Show Cause Order [Doc. 9] at 1, n. 1 (citing Fed. R. Civ. P. 6(a)(3); LCvR6.1; LCvR6.2).

2. Whether previous motions have been made and disposition of same:

None.

3. Specific reasons for this request, to include an explanation why the act was not

¹ The Federal Respondents acknowledge that Local Civil Rule 7.1(c) directs that motions generally are to be filed as separate documents. The Federal Respondents are submitting this motion with their response to the order to show cause to expedite the filing of their habeas response.

done within the originally allotted time:

Please see Part A, above. The undersigned counsel erroneously believed that he filed the response and its attachments on Friday, January 23, 2026, and apologizes to the Court, Petitioner, and Petitioner's counsel for the error.

4. Whether the opposing counsel agrees or objects to the requested extension:

Petitioner's counsel does not object to the requested extension. On January 28, 2026, at approximately 10:40 a.m. Central, the undersigned counsel for the Federal Respondents called Michelle Edstrom, local counsel for Petitioner, to confer. Ms. Edstrom deferred to Mr. Rafael Ureña, out-of-state lead counsel for Petitioner. The undersigned counsel then placed a call to Mr. Ureña and was referred to Mr. Ureña co-counsel, Collin Desmond. Mr. Desmond has not entered an appearance in this case but indicated he would discuss the matter with Mr. Ureña. At approximately 11:30 a.m. Central, Mr. Desmond called the undersigned to report on behalf of Mr. Ureña that Petitioner does not object.

5. The impact, if any, on the scheduled trial or other deadlines:

The Court has not entered a scheduling order in this case.

6. The precise relief requested by the motion:

The Federal Respondents respectfully pray for an order of this Honorable Court granting them leave to file their response to the Verified Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief ("Petition") [Doc. 1] out of time.

Respectfully submitted this 28th day of January, 2026.

ROBERT J. TROESTER
United States Attorney

/s/ R. D. Evans, Jr.

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