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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

Son Hoang Vu,
Petitioner,
v.
Warden, Anchorage Correctional
Complex; et. al.,
Respondents.

Case No: 3:26-cv-00027-SLG

**MOTION TO SUBMIT EMERGENCY
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION ON THE
PAPERS WITHOUT ORAL ARGUMENT**

Petitioner Son Hoang Vu, by and through undersigned counsel, hereby moves this Court to vacate the oral argument currently set for January 22, 2026, at 12:00 p.m. Alaska Time on Petitioner's Emergency Motion for Temporary Restraining Order and Preliminary Injunction (the "TRO/PI Motion"), and to decide that motion on the parties' written submissions, without oral argument. In support of this motion, Petitioner states as follows:

1. **Counsel's Scheduling Conflict:** Petitioner's counsel, Daniel M. Huynh, has a previously scheduled USCIS naturalization interview (Form N-400) for another client, [REDACTED] at 750

1 [REDACTED] Troy, Michigan 48083. The USCIS notice advises
2 that the proceeding “can take about two hours” and warns that failure to appear
3 without good cause may result in denial of the application. Because counsel must be
4 physically present in Michigan that day and time and cannot travel to Anchorage to
5 appear in person at the Court’s hearing, Petitioner respectfully requests a ruling on
6 the papers.
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8 **2. Court’s Authority to Decide on the Papers:** Federal Rule of Civil Procedure 78(b)
9 provides that, by rule or order, a court may resolve motions on the briefs without oral
10 hearings. Likewise, the District of Alaska’s Local Civil Rule 7.1(f) explicitly states
11 that oral argument is discretionary. The Court thus has the authority to adjudicate the
12 TRO/PI Motion based solely on the written submissions, without holding an oral
13 argument.
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16 **3. Fully Briefed and Suitable for Decision:** The Court has set an expedited briefing
17 schedule on the TRO/PI Motion, with Respondents’ response due by January 20,
18 2026, and Petitioner’s reply due by January 21, 2026. The parties’ submissions will
19 therefore be complete before the scheduled hearing. The TRO/PI Motion is supported
20 by declarations and exhibits, and Petitioner submits that oral argument is not
21 necessary to permit timely adjudication of the Winter factors and the jurisdictional
22 issues presented.
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25 **4. No Alternative Appearance Requested:** Petitioner is *not* seeking to reschedule the
26 hearing or to appear telephonically or via video conference. Instead, Petitioner
27 respectfully requests that the Court vacate the January 22 oral argument entirely and
28 decide the TRO/PI Motion on the filings. Given the emergency nature of the relief

1 sought and the complete briefing of the issues, proceeding without oral argument will
2 facilitate a timely ruling and conserve judicial and party resources.
3

4 **CONCLUSION**

5 For the foregoing reasons, Petitioner Son Hoang Vu respectfully requests that the
6 Court vacate the oral argument scheduled for January 22, 2026, and rule on Petitioner's
7 Emergency Motion for Temporary Restraining Order and Preliminary Injunction on the
8 papers, without oral argument, pursuant to Fed. R. Civ. P. 78(b) and D. Alaska L. Civ. R.
9 7.1(f).
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12 Dated: January 19, 2026

Respectfully submitted,
/s/ Daniel M. Huynh
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1 **CERTIFICATE OF SERVICE**

2 I certify that on 01/19/2026, 2026, I served the foregoing MOTION TO SUBMIT
3 EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
4 INJUNCTION ON THE PAPERS WITHOUT ORAL ARGUMENT on Respondents by
5 providing notice to the United States Attorney's Office for the District of Alaska via Fax at
6 907-271-2344 and email at christine.dollerhide@usdoj.gov, Josh.Traini@usdoj.gov and
7
8 ICE Office of the Principal Legal Advisor by email at seattle.outreach@ice.dhs.gov.
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11 */s/ Daniel M. Huynh*
12 Daniel M. Huynh, Esq.
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