

Petitioner: Alaa Eddin Alaa A# [REDACTED]

v.

Warden, STIPC, et al., Respondants.

FILED

APR 13 2026

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [REDACTED]
DEPUTY CLERK

Response to Government's Response
to Writ of Habeas Corpus

Petitioner submits this response to the Government's response for the Writ of Habeas Corpus. In their response, Respondants failed to show that removal is foreseeable, rather Respondants have no more to show than repeated genuine efforts to obtain travel document for petitioner's removal to no avail. Also Respondants confuse Glushchenko's case to Petitioner's which are completely distinct, to continue the unlawful detention of petitioner in violation of the constitutional right to liberty.

Zadvydas Restricts Post-Removal Order Detention
to a Period Reasonably Necessary to Secure
Removal

"The Government ordinarily secures a [noncitizen]'s removal during "the 90 days following a final order for the person to be removed. Zadvydas. During that "Removal Period," the person subject to removal is typically detained. Zadvydas.

Beyond that period, the Government may in some situations continue to detain them for as long as is "reasonably necessary" to secure their removal. 8 U.S.C. 1231 (a)(6). But under Zadvydas, "once removal is no longer reasonably foreseeable, continued detention is no longer authorized."

To make out a Zadvydas claim after the six months have run, a detained noncitizen need "only" provide "good reason" to "believe" that there is no significant likelihood of removal in the reasonably foreseeable future.

Respondents concedes that Petitioner has been detained for more than 6 months for the purpose of Zadvydas's "presumptively reasonable" period.

There's good reason that removal is not foreseeable.

SDDO Celestria Pena stated that;

① ERO sent a request for travel document on behalf of Petitioner to the Government of Syria on October 2, 2025. Respondents failed to present any meaningful progress to effectuate Petitioner's removal after 10 months of the removal order, specifically the following:

- ① Any communication with consular officials who may have suggested that travel document is forthcoming.
- ② Any concrete plan of removal or plane tickets.
- ③ Any date to indicate removal is "reasonably foreseeable"
- ④ 10 months have elapsed and no evidence to show that removal is imminent besides vague assurances that the Dept of State will one day in the future be able to have the Syrian Government produce travel document for Petitioner.
- ⑤ Pena, doesn't specify when in the future these forthcoming updates will be.

In conclusion, by their own admission the Respondants have failed to secure travel document to effectuate Petitioner's removal after successive repeated failed attempts. Thus removal is not foreseeable.

This Court and other District courts have stated that such arguments from the Respondants make removal not foreseeable. Therefore, this petition should be granted

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Priority
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Western District of Texas
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