

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

Stanislav Em,
Petitioner,

v.

Alejandro Mayorkas,
Respondent.

No. 3:26-cv-00411-DB

RESPONSE TO REQUIRED SUPPLEMENTAL BRIEFING ECF NO. 6

Respondents respond below to the Court's Order for Supplemental briefing.

Petitioner does not have a final order of removal because the appeal is currently pending. Petitioner is not in expedited removal proceedings. Petitioner has not been released into the United States since he was detained on August 28, 2024. Because Petitioner does not have a final removal order yet, his detention has not become unlawfully prolonged because that analysis does not come into play until such a removal order is issued. *See Zadvydas v. Davis*, 533 U.S. 678, 701 (2001). *See Ex. A, Declaration.*

Respectfully submitted,

JUSTIN R. SIMMONS
UNITED STATES ATTORNEY

By: /s/ Adrian Acosta

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Certificate of Service

On March 9, 2026, I directed a copy of this document to be mailed to Petitioner at the below address:

Stanislav Em



El Paso Processing Center
8915 Montana Ave.
El Paso, TX 79925

/s/ Adrian Acosta

ADRIAN ACOSTA

Assistant United States Attorney