BEFORE THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
IN TACOMA

Gia Huy Nguyen,

Petitioner,

v.

Julio Hernandez, in his official capacity as Acting Field Office Director, Enforcement and Removal Operations, Seattle Field Office, U.S. Immigration and Customs Enforcement; Todd M. Lyons, in his official capacity as Senior Official Performing the Duties of the Director of U.S. Immigration and Customs Enforcement; Markwayne Mullin, in his official capacity as Secretary of the U.S. Department of Homeland Security; U.S. Department of Homeland Security; Todd Blanche, in his official capacity as Acting Attorney General of the United States; and Jason Streeval, in his official capacity as Warden of the Stewart Detention Center,

Respondents.

No. 2:26-cv-01402-DGE

Petitioner's Amended Petition for Writ of Habeas Corpus

I. INTRODUCTION

1. Petitioner Gia Huy Nguyen submits this Amended Petition because the Court ordered him to file a more thorough habeas petition by May 1, 2026 after construing his emergency motion for a temporary restraining order as a new habeas filing. Dkt. 4 at 2. This amended

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petition sets forth the factual and legal claims arising from Petitioner's new re-detention and threatened third-country removal to Palau. Petitioner files this amended habeas petition in compliance with the Court's directive, but respectfully preserves his position that a new or separate habeas filing should not have been necessary. This case arises from the same custody, the same removal order, the same Respondents, and the same ongoing deprivation of liberty that were already before the Court in the original habeas proceeding. The Court previously issued a scheduling order directing Respondents to show cause why the writ should not be granted, required expedited briefing, directed immediate service on the United States Attorney's Office, and ordered Respondents to provide advance notice before transferring Petitioner from the Western District of Washington or removing him from the United States. Respondents' later conduct did not create a wholly separate controversy; it arose directly from, and allegedly violated or evaded, the very custody and removal process already under this Court's review.

? Accordingly, Petitioner respectfully submits that the appropriate course is to reopen, enforce, or continue the original habeas proceeding for the limited purpose of addressing Respondents' post-order conduct, rather than requiring Petitioner to begin again through a new habeas filing. Habeas is intended to provide a swift and practical remedy for unlawful detention, and requiring a detained petitioner to restart the process each time Respondents alter the mechanics of custody, transfer, or removal would elevate form over substance and risk depriving the Court's prior orders of meaningful effect. Where government conduct allegedly violates or undermines an order entered in a pending or recently closed habeas matter, the issuing court retains authority to protect its jurisdiction, enforce its orders, and grant appropriate relief. Petitioner therefore asks the Court to construe this amended filing liberally

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as a continuation of the original habeas challenge, preserve the benefit of the prior record and expedited posture, and reject any suggestion that the procedural posture of this amended petition narrows, delays, or waives Petitioner's entitlement to immediate habeas relief.

3. This case is not a petition for review of Petitioner's removal order. Petitioner challenges his present physical custody, the revocation of his court-ordered release, and Respondents' threatened third-country removal without the notice, opportunity to be heard, and regulatory procedures required by the Court's February 26, 2026 judgment in *Nguyen v. Field Office Director*, Case No. 2:26-cv-00394-DGE ("*Nguyen I*"), 8 C.F.R. § 241.13, the Due Process Clause, and 28 U.S.C. § 2241.

4. In *Nguyen I*, this Court granted habeas relief and ordered Petitioner released after Respondents failed to establish a significant likelihood of removal in the reasonably foreseeable future. The Court also ordered that Respondents shall not re-detain Petitioner without notice and an opportunity to be heard unless Respondents have evidence that detention is authorized under 8 C.F.R. § 241.13(i)(1)-(2). Dkt. 4 at 1; *Nguyen I*, Dkt. 20 at 9.

5. On April 24, 2026, counsel was advised that ICE had re-detained Petitioner under 8 C.F.R. § 241.13(i)(2) based on an alleged Palau travel document and alleged diplomatic assurances. Dkt. 1 at 3; Dkt. 4 at 2. Petitioner denies that he was served with any notice identifying Palau as the proposed country of removal, any written revocation notice, any written reasons for revocation, any proof of service, or any notice providing a meaningful opportunity to respond before or at the time of re-detention. Dkt. 1 at 3.

6. The Court has already provisionally granted emergency relief and enjoined Respondents from removing Petitioner from the United States or from the Western District of Washington without further order. Dkt. 4 at 3. Petitioner now seeks a writ requiring immediate restoration to

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release under the prior order of supervision unless and until Respondents establish, on a complete record and after lawful process, that re-detention and continued detention are lawful.

II. JURISDICTION AND VENUE

7. This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner remains in federal immigration custody and challenges the legality of that custody, his re-detention, and Respondents' attempt to remove him to a third country without the process required by this Court's prior habeas judgment, the Immigration and Nationality Act, the Due Process Clause, and 8 C.F.R. § 241.13. This Court also has federal question jurisdiction under 28 U.S.C. § 1331, authority to grant declaratory relief under 28 U.S.C. § 2201, and authority under the All Writs Act, 28 U.S.C. § 1651(a), to issue orders necessary or appropriate to preserve its jurisdiction and effectuate its judgments.

8. This action arises directly from this Court's own prior habeas judgment in *Nguyen v. Field Office Director*, et al., No. 2:26-cv-00394-DGE ("*Nguyen I*"). On February 26, 2026, this Court granted Petitioner's petition for writ of habeas corpus and ordered his release from detention. The Court also imposed an express limitation on Respondents' authority to re-detain Petitioner, ordering that Respondents shall not re-detain him "without notice and an opportunity to be heard unless Respondents have evidence detention is authorized under 8 C.F.R. § 241.13(i)(1)-(2)."

9. Respondents then re-detained Petitioner based on an asserted Palau travel document and alleged third-country removal notices. Petitioner disputes that Respondents complied with this Court's February 26 judgment or with 8 C.F.R. § 241.13(i). Specifically, Petitioner alleges that he did not receive meaningful notice of third-country removal to Palau, did not receive notice revoking his release, and was not provided a meaningful opportunity to be heard before or at

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the time of re-detention. The present petition therefore does not arise from an isolated detention decision in Georgia. It arises from Respondents' alleged violation of this Court's own habeas judgment and from Respondents' attempt to re-detain and remove Petitioner under the same post-order custody framework this Court already adjudicated in *Nguyen I*.

10. This Court has continuing authority to enforce, interpret, and protect its own judgment. Federal courts possess ancillary authority to vindicate their orders and effectuate their decrees. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 379–80 (1994). Although *Kokkonen* did not arise in the habeas context, it supports the general principle that a federal court may exercise ancillary authority to manage its proceedings and effectuate its judgments. Here, that principle applies with special force because Petitioner seeks enforcement of a habeas judgment entered by this Court, not enforcement of a private settlement or a collateral dispute.

11. Nor does Petitioner's transfer to Stewart Detention Center defeat this Court's jurisdiction. The Supreme Court has recognized in the habeas context that where a court has acquired jurisdiction and a responsible custodian remains within reach of the court's process, later removal of the petitioner from the district does not automatically defeat jurisdiction. See *Ex parte Endo*, 323 U.S. 283, 304–07 (1944). Respondents should not be permitted to defeat this Court's authority by transferring Petitioner after this Court entered case-specific release and re-detention protections.

12. Respondents may rely on *Rumsfeld v. Padilla*, 542 U.S. 426 (2004), and *Doe v. Garland*, 109 F.4th 1188 (9th Cir. 2024), but those cases are distinguishable. They address ordinary core habeas petitions challenging present physical custody where the petitioner filed outside the district of confinement or failed to name the immediate physical custodian. Petitioner names the Stewart Detention Center warden as his current physical custodian to

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avoid any immediate-custodian objection. More importantly, this petition is not merely a new challenge to Georgia custody; it is a request to enforce and preserve this Court's prior habeas judgment and its April 24 provisional TRO. Neither *Padilla* nor *Doe* involved a petitioner seeking enforcement of the same court's prior habeas release order after the government allegedly re-detained, transferred, and attempted to remove him in violation of that order.

13. This Court's April 24, 2026 order confirms the continuing jurisdictional basis for emergency relief. The Court acknowledged that Petitioner sought to enforce the February 26, 2026 judgment, that Petitioner alleged re-detention without the process required by that judgment and 8 C.F.R. § 241.13, and that removal to Palau could defeat the Court's ability to enforce its judgment. The Court provisionally granted temporary relief to maintain the status quo and enjoined Respondents from removing Petitioner from the United States or from the Western District of Washington without further order.

14. This Court's authority is reinforced by the All Writs Act. The Supreme Court has recently reaffirmed that federal courts may issue temporary injunctive relief to prevent irreparable harm and preserve jurisdiction while the court determines what process is due. *See A.A.R.P. v. Trump*, 605 U.S. 91, 97 (2025). Here, the threatened removal to Palau would not merely alter Petitioner's custodial location; it would defeat the Court's ability to enforce its February 26 habeas judgment, determine whether Respondents complied with 8 C.F.R. § 241.13(i), and ensure that Petitioner receives a meaningful opportunity to raise country-specific fear and onward-removal claims before third-country removal occurs.

15. Venue remains proper in this District because the operative habeas judgment was entered here; Petitioner was released from custody here pursuant to that judgment; the re-detention limitations were imposed here; the Federal Respondents appeared in this Court

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through the United States Attorney's Office for the Western District of Washington, the challenged re-detention is alleged to violate this Court's own judgment; and this Court has already entered provisional relief preserving the status quo.

16. To avoid any dispute regarding the immediate custodian rule, Petitioner names Respondent Jason Streeval, Warden of Stewart Detention Center, in his official capacity as Petitioner's current immediate physical custodian. Petitioner also names the Federal Respondents who were bound by this Court's February 26 judgment and April 24 provisional TRO and who retain legal authority over Petitioner's detention, re-detention, transfer, and removal.

17. In the alternative, if the Court concludes that Petitioner's present physical confinement in Georgia creates a jurisdictional defect as to any portion of the amended petition, Petitioner respectfully requests that the Court act on the relief requested in the original Emergency TRO filed on April 24—reopen the original habeas petition (No. 2:26-cv-00394) and issue an order enforcing the Court's February 26, 2026 judgment and an order to show cause why the Respondents' should not be held in contempt of the Court's February 26, 2026 judgment.

III. PARTIES

18. Petitioner Gia Huy Nguyen is a native and citizen of Vietnam. He is presently detained by ICE at the Stewart Detention Center in Lumkin, Georgia. His A-number ends in 530.

19. Respondent Julio Hernandez is the Acting Field Office Director for ICE Enforcement and Removal Operations, Seattle Field Office. Federal Respondents have substituted him for Laura Hermosillo under Federal Rule of Civil Procedure 25(d). Dkt. 5 at 1 n.1. He is sued in his official capacity.

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20. Respondent Jason Streeval is the Warden of Stewart Detention Center in Lumpkin, Georgia, where Petitioner is presently physically confined. He is sued in his official capacity as Petitioner's current immediate physical custodian. Petitioner names Warden Streeval to avoid any dispute regarding the proper habeas custodian after Respondents transferred Petitioner out of Washington. Petitioner does not concede that Respondents may defeat this Court's existing jurisdiction, its February 26, 2026 habeas judgment, or its April 24, 2026 provisional TRO by redetaining the Petitioner outside this judicial district absent full compliance with the Court's February 26, 2026 order.

21. Respondent Director of U.S. Immigration and Customs Enforcement is responsible for ICE's detention and removal operations. This Respondent is sued in his official capacity.

22. Respondent Secretary of the U.S. Department of Homeland Security is responsible for implementation and enforcement of the Immigration and Nationality Act through DHS and ICE. This Respondent is sued in his official capacity.

23. Respondent Attorney General of the United States is responsible for the Department of Justice and the Executive Office for Immigration Review. This Respondent is sued in his official capacity.

IV. FACTUAL BACKGROUND

A. Immigration Proceedings and the Final Order Withholding Removal to Vietnam

24. Petitioner entered the United States near Otay Mesa, California on or about October 16, 2024, was processed for expedited removal, and was later transferred to the Northwest ICE Processing Center in Tacoma, Washington. *Nguyen I*, Dkt. 14 ¶¶ 4-9.

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25. On November 22, 2024, Petitioner claimed fear of return to Vietnam. USCIS conducted a credible-fear interview on January 14, 2025 and found that he established a credible fear. *Nguyen I*, Dkt. 14 ¶¶ 10-11.

26. On January 21, 2025, DHS issued a Notice to Appear and placed Petitioner in removal proceedings in Tacoma, Washington. *Nguyen I*, Dkt. 14 ¶ 12.

27. On July 30, 2025, the immigration judge ordered Petitioner removed to Vietnam but granted withholding of removal to Vietnam. *Nguyen I*, Dkt. 15-3 at 2-4. Petitioner, through counsel, waived appeal. *Nguyen I*, Dkt. 14 ¶ 15.

28. Because withholding of removal protects Petitioner from removal to Vietnam but does not itself terminate the removal order, ICE treated Petitioner as detained under 8 U.S.C. § 1231 after July 30, 2025. Respondents took that position in *Nguyen I*. *Nguyen I*, Dkt. 13 at 4-5.

B. *Nguyen I* and the Court's February 26, 2026 Judgment

29. In *Nguyen I*, Petitioner sought habeas relief from prolonged post-order detention under Zadvydas v. Davis, 533 U.S. 678 (2001), and 8 C.F.R. § 241.13.

30. Respondents opposed relief, asserting that ICE was pursuing removal to Mexico, Cambodia, or Thailand. *Nguyen I*, Dkt. 13 at 6-8. Officer Anthony Rosa stated that Petitioner had discussed Mexico, Cambodia, and Thailand with ERO, but also acknowledged that the Mexico travel-document request was still pending supervisory approval and had not been sent to the Mexican Consulate. *Nguyen I*, Dkt. 14 ¶¶ 17-23.

31. On February 26, 2026, this Court granted the habeas petition and ordered Petitioner released. Dkt. 4 at 1; *Nguyen I*, Dkt. 20. The Court's present order summarizes the operative terms: Respondents were ordered not to re-detain Petitioner without notice and an opportunity

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to be heard unless Respondents had evidence detention was authorized under 8 C.F.R. § 241.13(i)(1)-(2). Dkt. 4 at 1.

32. Petitioner was released from the Northwest ICE Processing Center on February 26, 2026. Dkt. 4 at 1; *Nguyen I*, Dkt. 22.

C. April 2026 Re-Detention Based on Alleged Palau Removal Arrangements

33. On April 24, 2026, counsel filed an emergency motion in *Nguyen I* after being advised by Assistant United States Attorney Kristin B. Johnson that ICE had re-detained Petitioner because ICE allegedly obtained a travel document from Palau and allegedly served notices of third-country removal. Dkt. 1 at 3; Dkt. 4 at 2.

34. Palau was not the country designated in the immigration judge's July 30, 2025 removal order. The summary order identifies Vietnam as the country of removal and leaves the alternative country line blank. *Nguyen I*, Dkt. 15-3 at 2.

35. Petitioner denies that Respondents served him with notice of third-country removal to Palau, a written notice revoking his release, written reasons for revocation, the alleged travel document, the alleged diplomatic assurances, written State Department confirmation, or any document advising him of a right to respond. Dkt. 1 at 3.

36. Petitioner also denies receiving a meaningful opportunity to be heard before re-detention or a prompt informal interview after return to ICE custody that would allow him to contest the alleged changed circumstances, submit evidence, or raise Palau-specific and onward-removal protection concerns. Dkt. 1 at 3, 5-7.

37. Without emergency judicial intervention, Respondents' asserted plan to remove Petitioner to Palau would moot or severely impair this Court's ability to review the lawfulness

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of re-detention and could expose Petitioner to removal, onward transfer, or refoulement before he has a meaningful opportunity to respond.

D. The Court's April 24, 2026 Order in This Case

38. The Court construed the emergency TRO motion as a new habeas petition because it identified a new detention. Dkt. 4 at 2.

39. The Court ordered Petitioner to file an amended habeas petition setting forth all claims for relief no later than May 1, 2026, to subsequently serve Respondents with the amended petition, and to pay the filing fee or file an in forma pauperis motion. Dkt. 4 at 2.

40. The Court provisionally granted the TRO pending Respondents' response and any reply, solely to maintain the status quo so the Court can review the merits after full briefing. Dkt. 4 at 3.

41. The Court enjoined Respondents from removing Petitioner from the United States or from the Western District of Washington without further order. Dkt. 4 at 3.

42. The Court ordered Petitioner's counsel to immediately serve process and a copy of the order on Respondents, immediately contact Respondents' counsel to provide the order, and meet and confer on a TRO briefing schedule and whether the government will stipulate not to remove Petitioner or transfer him to another facility during this case. Dkt. 4 at 3-4.

V. LEGAL FRAMEWORK

43. Section 1231(a)(6) authorizes post-order detention only as limited by *Zadvydas*. Once a noncitizen provides good reason to believe there is no significant likelihood of removal in the reasonably foreseeable future, the government must respond with evidence sufficient to rebut that showing. *Zadvydas*, 533 U.S. at 701.

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44. The regulation implementing *Zadvydas*, 8 C.F.R. § 241.13, requires review of whether removal is significantly likely in the reasonably foreseeable future. If the government relies on information from the Department of State, that information must be made part of the record and the noncitizen must be permitted to respond to evidence on which the Service intends to rely. 8 C.F.R. § 241.13(e)(3)-(4).

45. If release is ordered under 8 C.F.R. § 241.13(h), the release may later be revoked for violation of conditions or for appropriate reasons including changed circumstances. 8 C.F.R. § 241.13(i)(1)-(2). If ICE revokes release because removal becomes significantly likely in the reasonably foreseeable future, the regulation still requires notice of the reasons for revocation and a prompt informal interview after return to custody. 8 C.F.R. § 241.13(i)(3).

46. The prompt informal interview under 8 C.F.R. § 241.13(i)(3) must provide a real opportunity to respond to the alleged basis for re-detention. The noncitizen may submit evidence showing there remains no significant likelihood of removal in the reasonably foreseeable future. Id.

47. Due process independently protects Petitioner's liberty interest in freedom from physical restraint and requires meaningful notice and an opportunity to be heard before the government deprives him of that liberty, particularly after this Court already ordered release subject to explicit limits on re-detention. *See Zadvydas*, 533 U.S. at 690; *Mathews v. Eldridge*, 424 U.S. 319, 333-35 (1976).

48. Although withholding of removal to Vietnam does not categorically prevent removal to a third country, *Johnson v. Guzman Chavez*, 594 U.S. 523, 536, 545-46 (2021), Respondents may not execute third-country removal in a manner that deprives Petitioner of meaningful

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notice, meaningful opportunity to raise country-specific or onward-removal protection claims, or the procedures required by this Court's judgment and 8 C.F.R. § 241.13.

49. In *A.A.R.P. v. Trump*, 605 U.S. 91, 97 (2025), the Supreme Court recognized that federal courts have power to issue injunctive relief to prevent irreparable harm and preserve jurisdiction. This Court has already exercised that authority by provisionally enjoining removal from the United States or from this District pending further order. Dkt. 4 at 3.

50. Notably, the Respondents' Opposition to the TRO (Doc 11) and supporting declaration (Doc 12) do not even attempt to demonstrate that the Respondents complied with the Court's February order. The Court ordered in *Nguyen I* that "Petitioner shall not be re-detained without notice and an opportunity to be heard unless Respondents have **evidence** detention is authorized under 8 C.F.R. § 241.13(i)(1)–(2)." *Nguyen I*, Doc. 20 (emphasis added). The Declaration submitted by the Respondents contains no evidence that Respondents have complied with the Government's own binding regulations.

51. Additionally, while Respondents claim in their Opposition that Petitioner is seeking "the same relief" in M.D. Georgia, this is false. Petitioner is seeking, in this case, to enforce the Court's original February 2026 judgment. This is precisely why Petitioner filed his motion in the original habeas matter because he is seeking aid of the Court in effectuating its own judgment.

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VI. CLAIMS FOR RELIEF

COUNT I - Unlawful Re-Detention and Continued Detention Under 28 U.S.C. § 2241, 8 U.S.C. § 1231(a)(6), *Zadvydas*, and 8 C.F.R. § 241.13

52. Respondents re-detained Petitioner after this Court ordered release under 8 C.F.R. § 241.13 and expressly restricted any re-detention without notice and an opportunity to be heard unless Respondents possessed evidence authorizing detention under § 241.13(i)(1)-(2).

53. After notice and an opportunity to respond, Respondents have failed to produce any evidence whatsoever to justify the redetention of the Petitioner. The Respondents have not produced the alleged Palau travel document, any proof that Palau will accept Petitioner in the reasonably foreseeable future, any State Department written confirmation of diplomatic assurances, the basis on which Palau was selected under 8 U.S.C. § 1231(b), or any complete custody-review record supporting re-detention. Indeed, the Respondents' supporting declaration does not even claim that the Respondents have a travel document to Palau. *See* Carnevalea Declaration, Doc. 12, ¶ 20.

54. Respondents' bare assertion that they desire "to effectuate removal to Palau pursuant to the Third Country Removal agreement and Palau's acceptance of Petitioner for removal" (Doc. 12, ¶ 20) is insufficient to establish that removal is significantly likely in the reasonably foreseeable future or that continued detention is lawful, particularly because this Court has already ordered that the Respondents cannot redetain the Petitioner without "evidence" that detention is authorized. *Nguyen I*, Doc. 20. Respondents have now had nearly a week to produce any evidence and they have not done so, nor have they explained their failure to do so.

55. Petitioner's continued custody violates 28 U.S.C. § 2241, 8 U.S.C. § 1231(a)(6), *Zadvydas*, and 8 C.F.R. § 241.13.

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COUNT II - Violation of 8 C.F.R. § 241.13(i)(3) and the *Accardi* Doctrine

56. Upon revocation of release, 8 C.F.R. § 241.13(i)(3) requires Respondents to notify Petitioner of the reasons for revocation and promptly conduct an informal interview to allow him to respond.

57. Petitioner denies receiving a written revocation notice, written reasons for revocation, proof of service, the alleged travel document, the alleged diplomatic assurances, or a meaningful prompt informal interview

58. The Respondents' Opposition to the TRO and supporting declaration do not claim that any of these procedures were followed, nor do the Respondents provide copies of documentation that could establish compliance.

59. An agency must follow its own binding regulations. Respondents' failure to comply with § 241.13(i)(3) renders the re-detention unlawful. *See United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

COUNT III - Violation of the Fifth Amendment Due Process Clause

60. Petitioner has a fundamental liberty interest in freedom from physical restraint. The government may not deprive him of that liberty without constitutionally adequate process

61. Respondents re-detained Petitioner without meaningful prior notice, without meaningful opportunity to be heard, and without disclosing the evidence on which they claim re-detention and third-country removal are based.

62. Respondents' threatened removal to Palau without meaningful notice and a meaningful opportunity to raise country-specific and onward-removal protection concerns creates a high risk of erroneous deprivation and irreparable harm.

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63. The procedures Petitioner seeks - disclosure of the operative documents, notice of the reasons for revocation, a prompt opportunity to respond, and temporary preservation of the status quo - are modest and are required by regulation, due process, and the Court's prior judgment

64. Respondents' re-detention and threatened removal therefore violate the Due Process Clause.

COUNT IV - Violation of the Court's February 26, 2026 Judgment and the Court's Authority to Enforce Its Orders

65 The February 26, 2026 judgment in *Nguyen I* did not merely order a one-time release. It expressly restricted Respondents' ability to re-detain Petitioner absent notice and an opportunity to be heard unless Respondents possessed **evidence** authorizing detention under 8 C.F.R. § 241.13(i)(1)-(2). Dkt. 4 at 1.

66. Respondents' re-detention based on undisclosed documents, alleged notices Petitioner denies receiving, and alleged diplomatic assurances not produced to Petitioner or the Court violates or threatens to violate the judgment. Indeed, even after having time to prepare a responsive declaration, Respondents do not even bother to claim that they complied with any of their own regulations nor with the Court's prior judgment.

67. This Court has ancillary and inherent authority to enforce its own orders, preserve its jurisdiction, and prevent Respondents from frustrating habeas review through removal or transfer. *See Kokkonen v. Guardian Life Ins. Co. of Am.*, 511 U.S. 375, 379-80 (1994); Fed. R. Civ. P. 65, 70, 71; 18 U.S.C. § 401.

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COUNT V - Unlawful Third-Country Removal Process and Failure to Provide Meaningful Notice and Opportunity to Raise Protection Claims

68 The immigration judge ordered removal to Vietnam and granted withholding of removal to Vietnam. Palau was not listed as the country of removal or as an alternative country in the immigration judge's summary order. *Nguyen I*, Dkt. 15-3 at 2.

69. Respondents have not disclosed the statutory basis for selecting Palau under 8 U.S.C. § 1231(b), any written notice of third-country removal, any written diplomatic assurances, or any written State Department confirmation that the assurances are adequate and credible.

70 Respondents may not remove Petitioner to Palau or any third country without meaningful advance notice, disclosure of the operative documents, and a meaningful opportunity to raise country-specific and onward-removal protection claims. *See Ibarra-Perez v. United States*, 154 F.4th 989, 1000–01 (9th Cir. 2025); *A.A.R.P.*, 605 U.S. at 97.

71. Respondents' threatened removal to Palau without these safeguards is contrary to law, arbitrary and capricious, and violates the Due Process Clause.

VII. REQUEST FOR RELIEF

72. Close this habeas matter and reopen the original habeas matter, assume jurisdiction under 28 U.S.C. § 2241 and issue the writ of habeas corpus unless Respondents promptly show cause on a complete record why Petitioner's present custody complies with the Court's prior order in this case.

73. Order an expedited briefing schedule under 28 U.S.C. § 2243, LCR 100, General Order 10-25 and this Court's April 24 order.

74. Order Respondents to file and serve the complete record on which they relied to re-detain Petitioner, including, but not limited to:

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1. The alleged Palau travel document, including the date of issuance, issuing authority, expiration date, and all communications transmitting or authenticating it.
2. All notices of third-country removal that Respondents contend were served on Petitioner, including every proof of service, acknowledgment, interpreter record, certificate, timestamp, and the name and title of each serving officer.
3. Any written notice revoking Petitioner's release under 8 C.F.R. § 241.13(i)(2)-(3), including written reasons for revocation and all proof of service.
4. All records of the required informal interview under 8 C.F.R. § 241.13(i)(3), including notes, recordings, forms, interpreter records, officer names, and any evidence Petitioner was permitted to submit.
5. All custody-review materials authorizing re-detention, including supervisory approvals, risk assessments, file-custody-review notices, and headquarters communications.
6. All diplomatic assurances or communications with Palau, including any written State Department confirmation that assurances were received, reviewed, deemed credible, or deemed adequate.
7. All records identifying the statutory basis for selecting Palau under 8 U.S.C. § 1231(b), including whether Palau agreed to accept Petitioner and whether any other country was first requested or refused.
8. All travel, flight, transfer, removal, or escort records concerning any plan to remove Petitioner to Palau.

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9. All records concerning whether Petitioner expressed fear, asked to consult counsel, requested time to respond, or sought to raise Palau-specific or onward-removal protection concerns

75. Order Respondents to restore Petitioner to release under the prior order of supervision unless and until Respondents establish, after lawful notice, disclosure, and an opportunity to be heard, that continued detention is lawful under 8 C.F.R. § 241.13(i) and the Constitution.

76. Declare that Respondents violated or are violating the February 26, 2026 judgment, 8 C.F.R. § 241.13, and due process by re-detaining Petitioner without meaningful notice and opportunity to be heard

77. Enjoin Respondents from removing Petitioner from the United States, removing him to Palau or any other third country, or transferring him absent further order of this Court.

78. Order that any future third-country removal may occur only after meaningful written notice identifying the proposed country, disclosure of the operative travel document and diplomatic-assurance record, a meaningful opportunity to raise country-specific and onward-removal protection concerns, and adequate time for judicial review.

79. Award reasonable fees and costs to the extent permitted by law.

80. Grant any other relief the Court deems just and proper.

VIII. VERIFICATION UNDER 28 U.S.C. § 2242 AND LCR 100(e)

81. Because Petitioner is detained and immediate filing is necessary to comply with the Court's May 1, 2026 deadline and preserve the provisional TRO, undersigned counsel verifies that the factual allegations above are based on counsel's review of the docket and record in this case and Nguyen I, the government's filed declarations and exhibits, communications from

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government counsel described in Dkt. 1 and Dkt. 4, and information provided by Petitioner and counsel. Petitioner can verify further facts if the Court requires a supplemental declaration.

Respectfully submitted this 30th day of April, 2026.

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/s/ Farah Hobballah

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Admitted Ppo hac vice

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Certificate of Service

I certify that on this date I filed the foregoing using the CM/ECF filing system. The Respondents will therefore receive notice of this filing via CM/ECF.

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