

CRAIG H. MISSAKIAN (CABN 125202)
United States Attorney
PAMELA T. JOHANN (CABN 145558)
Chief, Civil Division
MATTHEW CHANG (CABN 348765)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 412-0168
Facsimile: (415) 436-6748
Matthew.Chang2@usdoj.gov

Attorneys for Respondents-Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LAP NEOU,	)	Case No. 3:25-cv-8034-JSC
	)	
Petitioner-Plaintiff,	)	JOINT STATUS REPORT
	)	
v.	)	
	)	
SERGIO ALBARRAN, <i>et al.</i> ,	)	
	)	
Respondents-Defendants.	)	
	)	
	)	

Pursuant to the Court's October 10, 2025 Order Requiring Joint Status Report, Dkt. No. 17, counsel for the parties met and conferred and provide the following update to the Court. Respondents-Defendants represent as follows:

1. U.S. Immigration and Customs Enforcement ("ICE") did not re-detain Petitioner-Plaintiff Lap Neou ("Mr. Neou") at his check-in on October 8, 2025.

2. ICE has no imminent intent to re-detain Mr. Neou but reserves the right to do so in compliance with *Chhoeun v. Marin* and applicable law. If ICE intends to re-detain Mr. Neou, it will comply with *Chhoeun v. Marin* by serving a notice 14 days in advance of re-detention.

3. ICE is aware of the immigration judge's October 7, 2025 decision reopening and terminating Mr. Neou's removal proceedings and has 30 days from October 7, 2025 to file a notice of

1 appeal to the Board of Immigration Appeals.

2 Mr. Neou's position is that a preliminary injunction remains necessary because ICE reserves its
3 right to re-detain him without affording him the pre-detention hearing he seeks through his motion.

4 The government's position is that this is not an appropriate habeas petition, and that recent
5 developments underscore that habeas relief is neither appropriate nor necessary. In addition to the reasons
6 stated in the brief, Petitioner is not detained; ICE has no imminent plan to re-detain Petitioner; ICE has
7 not issued the 14-day *Chhoeun* notice, and therefore, cannot re-detain until doing so; and Petitioner's next
8 check-in with ICE is scheduled for December 8, 2025. At a minimum, any hearing should be stayed until
9 a 14-day notice is issued. If ICE has additional updates, parties will provide the court with a joint status
10 update as soon as practicable.

11 Dated: October 14, 2025

Respectfully submitted,¹

12 CRAIG H. MISSAKIAN
13 United States Attorney

14 /s/ Matthew Chang
15 MATTHEW CHANG
16 Assistant United States Attorney

Attorneys for Respondents-Defendants

17 Dated: October 14, 2025

IMMIGRANTS' RIGHTS CLINIC

18 /s/ Jingni (Jenny) Zhao
19 JINGNI (JENNY) ZHAO
20 JAYASHRI SRIKANTIAH

ASIAN LAW CAUCUS

21 /s/ So Young Lee
22 SO YOUNG LEE
23 NEHA MALIK

Attorneys for Petitioner-Plaintiff

27 ¹ In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all
28 signatories listed herein concur in the filing of this document.