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6 IN THE UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF CALIFORNIA

8 KONG MENG VUE,

9 Petitioner,

10 v.

11 WARDEN OF GOLDEN STATE ANNEX
12 DETENTION FACILITY, *et al.*,

13 Respondents.
14

CASE NO. 1:25-CV-01713-JDP

PETITIONER'S REPLY IN SUPPORT OF
EMERGENCY MOTION TO ENFORCE
JUDGMENT AND INJUNCTION

15
16 I. INTRODUCTION

17 Respondents argue that they complied with the Court's February 20, 2026 judgment because ICE
18 obtained travel documents from Laos and then completed the procedural steps described in 8 C.F.R. §
19 241.13(i) before re-detaining Petitioner on March 4, 2026. That argument misses the point of the Court's
20 order.

21 The Court did not merely require ICE to complete a checklist of procedural steps. It required ICE
22 to comply with the regulatory framework governing revocation of supervision, including making a
23 lawful determination that "changed circumstances" now create a significant likelihood of removal in the
24 reasonably foreseeable future. The government's own exhibits show that ICE made only a conclusory
25 assertion that removal could now be effectuated. They do not show the substantive regulatory analysis
26 that the Court's order required.

27 Because the government has not demonstrated compliance with the regulation or the Court's
28 injunction, the Court should enforce its judgment and order appropriate relief.

II. THE GOVERNMENT'S EXHIBITS DO NOT DEMONSTRATE SUBSTANTIVE COMPLIANCE WITH § 241.13(i)

Respondents rely heavily on the documents attached as Exhibit 1 to their opposition. Those documents show that ICE served Petitioner with a *Notice of Revocation of Release* stating that his supervision was revoked because ICE “has obtained a travel document and scheduled [his] removal.”

The documents also reflect that ICE conducted an informal interview on March 4, 2026.

These materials demonstrate that ICE completed certain procedural steps, but they do not demonstrate the substantive determination required by the regulation.

Under 8 C.F.R. § 241.13(i)(2), ICE may revoke supervision only after determining that, “on account of changed circumstances,” there is a significant likelihood that the alien may be removed in the reasonably foreseeable future. The regulation further requires ICE to evaluate the factors listed in § 241.13(f), including:

- the history of the government’s efforts to remove similarly situated individuals,
- the detainee’s compliance with removal efforts,
- the reasonably foreseeable results of those efforts, and
- the views of the Department of State regarding removal prospects.

Respondents’ exhibits contain **no analysis of those factors**. Instead, they rely solely on the existence of a travel document and the expectation of removal. That is precisely the type of conclusory reasoning the Court rejected when it granted the habeas petition.

III. A TRAVEL DOCUMENT ALONE DOES NOT SATISFY THE COURT’S ORDER

Respondents assert that ICE complied with the Court’s injunction because it obtained a travel document from Laos. See Exhibit 2.

But the Court’s order—and the regulation itself—require more than simply acquiring travel documents. The government must demonstrate that the issuance of those documents constitutes a **meaningful “changed circumstance”** that makes removal significantly likely in the reasonably foreseeable future.

Here, the government offers no explanation for:

- why removal was not effectuated for more than twenty years,

- what specifically changed other than the issuance of the document, or
- how the regulatory factors under § 241.13(f) were evaluated before revocation.

Without that analysis, the government has not shown that it complied with the Court's injunction.

IV. THE COURT RETAINS AUTHORITY TO ENFORCE ITS INJUNCTION

The Court's judgment expressly enjoined Respondents from re-detaining Petitioner unless they complied with the regulatory requirements. Because the government has not demonstrated that it satisfied those requirements, enforcement of the Court's order is appropriate.

The Court retains inherent authority to enforce its own judgments and injunctions. Where a party acts inconsistently with a court order, the Court may issue additional orders necessary to ensure compliance.

V. CONCLUSION

Respondents' opposition confirms that ICE relied primarily on the existence of a travel document to justify re-detention. That alone does not establish that ICE complied with the regulatory framework required by 8 C.F.R. § 241.13(i) or with this Court's injunction.

For these reasons, Petitioner respectfully requests that the Court grant the Emergency Motion to Enforce Judgment and Injunction and provide such relief as the Court deems appropriate.

DATED: March 9, 2026

Respectfully submitted,

By: /s/ Roger H. Ponce
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