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5 Attorney for Petitioner

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 NOTICE OF RECENT
DEVELOPMENTS RELEVANT TO
PETITIONER'S MOTION TO ENFORCE
JUDGMENT

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17 Petitioner Kong Meng Vue respectfully notifies the Court of developments that have occurred
18 since briefing on Petitioner's Motion to Enforce Judgment was completed.

19 After being re-detained, Petitioner was transferred from California to **Jackson Parish**
20 **Correctional Center in Louisiana**, where he remains in the custody of Immigration and Customs
21 Enforcement.

22 Petitioner has been informed that immigration authorities intend to remove him in the near
23 future.

24 Petitioner's family attempted to seek administrative relief by submitting a **Form I-246**
25 **Application for Stay of Removal**. However, immigration officials in Louisiana directed them to
26 California offices, while California offices stated that Louisiana had jurisdiction. As a result, Petitioner
27 has been unable to obtain a meaningful administrative determination on the stay request. (See Exhibit
28 A).

1 Meanwhile, the criminal conviction that formed the basis of the 2004 removal order has been
2 **vacated under California Penal Code §1473.7 and replaced with a misdemeanor conviction**
3 **carrying a sentence of 176 days.** Because an aggravated felony theft offense requires a sentence of at
4 least one year, the conviction underlying the removal order no longer exists in its original form. *Id.*

5 Based on that development, Petitioner has filed a **Motion to Reopen removal proceedings with**
6 **the Immigration Court in Eloy, Arizona**, requesting that the immigration court evaluate the
7 consequences of the vacated conviction. *Id.*

8 In addition, Petitioner's United States citizen spouse has filed an **I-130 immigrant petition** on
9 his behalf. *Id.*

10 These developments underscore the importance of preserving the status quo while the Court
11 considers whether Respondents complied with the Court's February 20, 2026 judgment and injunction.
12 Removal before the courts have the opportunity to evaluate the vacated conviction and the pending
13 reopening proceedings would undermine both this Court's prior judgment and the immigration court's
14 ability to review the legal consequences of the vacatur.

15 Petitioner respectfully submits this notice so that the Court is aware of these developments while
16 the Motion to Enforce Judgment remains under consideration.

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18 DATED: March 13, 2026

Respectfully submitted,

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20 By: /s/ Roger H. Ponce
21 ROGER H. PONCE
22 Counsel for Petitioner
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