UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

Phakdy Toun Keungsavath,

Petitioner,

v.

KRISTI NOEM, Secretary of the Department of Homeland Security,

PAMELA BONDI, Attorney General of the United States;

TODD LYONS, Acting Director and Senior Official Performing the Duties of the Director of U.S. Immigration and Customs Enforcement;

DAVID EASTERWOOD, Acting Director of St. Paul Field Office of U.S. Immigration and Customs Enforcement.

Respondents.

Case No. EP-26-CV-00308-DCG

Meet and Confer Update

In response to the Court's order to meet and confer, the parties have discussed the matter. Petitioner's position is that the court should rule on the Habeas petition as it was an expedited request. The Minnesota court already issued an Order to Show Cause and Respondents have already responded to the Order to Show Cause. And the matter got transferred to Texas as part of the government's response to Petitioner's Habeas Petition.

Since the case was transferred here from out of the district, the government wishes for an additional 21 days to respond to the Habeas and Petitioner is requesting the Court to

give the government three days to Respond as Petitioner contends this case is now well past the 21 days Order to Show Case deadline. Although the government received the exhibits in Minnesota, Petitioner has also provided the exhibits to Respondents in Texas on February 19, 2026.

Petitioner's Position of Issues Before the Court

Petitioner's views the issues before the court are whether Petitioner's arrest violated the 4th Amendment when the government tried to break down Petitioner's front door with a battering ramp without a judicial warrant when they arrested him and what effect that would have on the validity of his current detention. Whether the government gave proper notice before revoking Petitioner's OSUP and whether under Zadvydas Petitioner's claim is ripe.

Respondent's Position of Issues Before the Court

The issues before the Court are whether Petitioner's arrest violated the 4th Amendment and what effect that might have on the validity of his current detention and whether under *Zadvydas* Petitioner's claim is ripe.

Respectfully submitted,

DATED: February 19, 2026

/s/ Alyssa Nguyen-Schmitz
Alyssa Nguyen-Schmitz, Lic. #0334947
Attorney-at-Law
332 County Road D
St. Paul, MN 55117

Phone: (651) 786-6666
Fax: (855) 855-5025

DATED: February 19, 2026

/s/Adrian Acosta

Assistant United States Attorney
Texas Bar No. 24097275
U.S. Attorney's Office
Western District of Texas
700 E. San Antonio Ave. Suite 200
El Paso, Texas 79901
Phone: (915) 534-6555