IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

Johan Ling Petitioner, v. Todd M. Lyons, *et al.* Respondents.	)	Case No. 5:26-cv-03031-JWL

PETITIONER'S TRAVERSE TO RESPONDENTS' RESPONSE

Petitioner Johan Ngun Ling respectfully submits this traverse in reply to Respondents' Response to the Petition for Writ of Habeas Corpus. In essence, the government's response shows only that ICE has begun internally exploring the possibility of third-country removal. It does not show that any country has been asked to accept Mr. Ling, much less that any country has agreed to do so.

I. Respondents' Evidence Shows No Country Is Prepared to Accept Petitioner.

Respondents rely almost entirely on the declaration of Deportation Officer Joseph Carroll. That declaration confirms that DHS has not secured acceptance from any country and does not claim that any country has been asked to issue travel documents. Instead, the declaration shows only that the local ICE office contacted ICE Headquarters regarding possible third-country removal, that ICE Headquarters contacted the Department of State, and that Petitioner's name has been submitted for possible third-country placement.

Since the removal order became final on July 3, 2025, nearly a year ago, Respondents identify no country that has been asked to accept Petitioner and no country that has agreed to do so. The evidence reflects only internal communications within the United States government and

the exploration of possible future removal to a third country.[1] Accordingly, Respondents' own evidence shows that removal remains speculative.

II. Speculative Third-Country Removal Does Not Satisfy *Zadvydas*

Under *Zadvydas v. Davis*, continued detention beyond six months is permissible only if there remains a significant likelihood of removal in the reasonably foreseeable future. 533 U.S. 678, 701 (2001). Respondents do not make that showing. They identify no country willing to accept Petitioner, no pending travel documents, and no anticipated removal date. Their evidence shows only that officials are exploring whether a third country might accept him.

Efforts to locate a country willing to accept a detainee are not the same as evidence that removal is likely to occur. If such exploratory efforts were enough, detention could continue indefinitely while the government searches for a country willing to accept the petitioner. *Zadvydas* rejected precisely that result. Where removal depends entirely on persuading an unidentified third country to accept the detainee, and the government cannot identify any country that has even been asked to do so, continued detention is not authorized.

CONCLUSION

For these reasons, Petitioner asks the Court to grant the Petition for Writ of Habeas Corpus and order his release under appropriate conditions of supervision.

Respectfully submitted,

/s/ Matthew L. Hoppock
Matthew L. Hoppock
Hoppock Law Firm LLC
PO Box 3886
Shawnee, KS 66203
Phone: 913-267-5511
matthew@hoppocklawfirm.com
Counsel for Petitioner

[1] Respondents cannot remove Mr. Ling to Burma / Myanmar because an Immigration Judge has found that he would likely be tortured there.

Certificate of Service

I hereby certify that on March 13, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. All parties participate in CM ECF and have entered an appearance, and all parties will be served with an electronic copy of this filing.

/s/ Matthew L. Hoppock
Matthew L. Hoppock
Hoppock Law Firm LLC
PO Box 3886
Shawnee, KS 66203
Phone: 913-267-5511
matthew@hoppocklawfirm.com
Counsel for Petitioner