IN THE UNITED STATES DISTRICT COURT OF KANSAS

FILED
U.S. District Court
District of Kansas
MAY 11 2026
Clerk, U.S. District Court
By _____ Deputy Clerk

Kong Bros,
Petitioner.

vs.
MISTY MACKEY, Warden, Midwest Regional Detention Center
MARKWAYNE MULIN, DHS Secretary;
TODD BLANCHE, Acting Attorney general; and
TODD LYONS, ICE Acting Director,
Respondents.

Case No: 26-3092-JWL

REPLY TO THE COURT ORDER TO SHOW CAUSE

COMES NOW, the petitioner, Kong Bros responding to this Court's recent order to show Cause for seeking relief through Habeas Corpus under 28 U.S.C. §2241 from DHS-ICE Custody.

I. Background

(a) I was admitted into the United States along with my now deceased mother in 1981. I was two years old and I am 47 years old. This is the only Country I know and lived in almost my entire life.

(b) I was ordered removed in 2006 or 2007, after which I was released on an Order of supervision;

(c) I was again detained by immigration official on February 5, 2026 and have been detained since that time within this jurisdictional district.

(d) I am being detained pursuant to 8 U.S.C. § 1231(a); and that my detention more than 6 months after my removal order violates that statute under the framework established by the supreme court in Zadvydas v. Davis, 533 U.S. 678(2001), and violates due process.

II. JURISDICTION

This motion is well within this jurisdictional district under 28 U.S.C. §2241 as mentioned above because the petitioner is being detained here in the State of Kansas.

III. AUTHORITIES

- Zadvydas v. Davis, 533 U.S. 678(2001)
- INA 241(a) (Normally 90-days of either: 1. Your entering ICE Custody with a final order of removal, deportation or exclusion, or 2. The date of any final order you receive while you are in ICE custody)

IV. ARGUMENTS

The petitioner is arguing that his detention is unlawful and violates his due process under both the framework established by the supreme court in Zadvydas v. Davis, 533 U.S. 678(2001) and INA 241(a) (Normally 90-days of either: 1. Your entering ICE Custody with a final order of removal, deportation or exclusion, or 2. The date of any final order you receive while you are in ICE custody). As of May 6, 2026 the petitioner's 90 days was complete and therefore triggered his custody review.

On February 26, 2026, petitioner received and signed Notice of Custody review delivered by officer Russel Stuart. This Notice essentially states that the detainee is to be reviewed and assessed to determine if detention is necessary after the fact. This reviewed has yet to be done. DHS-ICE is not in possession of his passport and/or travel document; they have failed to secure all necessary documents so far and have been unable to effectuate petitioner's removal within 90 days period and by extension the 180 day period as well.

DHS-ICE, is not showing that petitioner's removal is in the foreseeable future, leaving his detention essentially indefinite if this court does not intervene using its constitutional oversight power. Petitioner is entitled to release under the framework of Zadvydas and petitioner respectfully requests this court to use its authority under 28 U.S.C. §2243 to order the respondents to file a return with three days showing with tangible proofs that petitioner's removal will be executed in the foreseeable future, unless they can show good cause for additional time. See 28 U.S.C. §2243(Stating that "an order to

show cause why a petition for a writ of habeas Corpus should be denied is returnable within three days unless for good shows additional time, not exceeding twenty days, is allowed").

In order to permit full judicial review of the claims herein and request relief, petitioner respectfully requests that the court order Respondents not to transfer petitioner outside the jurisdiction of this Court pending consideration of this petition.

Petitioner has attached the following documentations:

- → Notice to Alien of File Custody Review
- → Warning for failure to Depart and,
- → Petitioner's own request for custody review filed on May 6, 2026.

WHEREFORE, petitioner requests this court to grant him relief by ordering his detention be terminated and be released from custody and reinsert his Order of Supervision.

Respectfully Submitted,

Kong Bros, Petitioner_____

CERTIFICATE OF SERVICE

I, Kong Bros, hereby attest that the information provide in the present is true and correct to the best my recollection and under the penalty of perjury, and that a Copy of this present has been served to the opposing party via the United States Postal services.

Kong Bros

5-6-2026

Date