

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA

Sambo Thach v. Brian English

Thach · No. 3:26-CV-309-CCB-SJF · Decided April 24, 2026

SUMMARY

The United States District Court for the Northern District of Indiana granted Sambo Thach’s petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court held that, after more than six months of detention following a removal order, the government had not shown that Thach’s removal to Vietnam was reasonably foreseeable under *Zadvydas v. Davis*. The court ordered his release on the same supervised-release conditions that existed before his redetention and required certification of compliance.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana
WRITING FOR THE COURT	Cristal C. Brisco
JURISDICTION	United States District Court for the Northern District of Indiana
DECIDED	April 24, 2026
DOCKET	3:26-CV-309-CCB-SJF
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the petitioner's continued immigration detention after the entry of a final removal order.
STANDARD OF REVIEW	The court reviewed the § 2241 detention challenge and determined whether continued detention was authorized by 8 U.S.C. § 1231 and <i>Zadvydas v. Davis</i> , including whether removal was reasonably foreseeable.
PRECEDENTIAL VALUE	Unknown; district court opinion with no published reporter citation or precedential designation in the source.
PARTIES	Sambo Thach v. Brian English

TOPICS

- federal habeas corpus
- immigration detention
- removal proceedings
- subject matter jurisdiction

PRACTICE AREAS

immigration

federal habeas corpus

post-conviction relief

civil procedure

QUESTIONS PRESENTED

1. Whether 8 U.S.C. §§ 1252(g) and 1252(b)(9) deprived the district court of subject-matter jurisdiction over Thach's § 2241 challenge to his post-removal-order detention.
2. Whether Thach's continued detention was authorized under 8 U.S.C. § 1231 when his removal was not reasonably foreseeable.
3. Whether the government rebutted Thach's showing that there was no significant likelihood of his removal in the reasonably foreseeable future.

HOLDINGS

1. Sections 1252(g) and 1252(b)(9) did not deprive the district court of jurisdiction to consider Thach's habeas challenge to his continued immigration detention.
2. After the presumptively reasonable six-month detention period, continued detention under § 1231 is not authorized when removal is no longer reasonably foreseeable.
3. Thach was entitled to release because the respondent failed to demonstrate that his removal was reasonably foreseeable.

KEY QUOTATIONS

“[O]nce removal is no longer reasonably foreseeable, continued detention is no longer authorized by statute.” (533 U.S. at 699)

“the court should hold continued detention unreasonable and no longer authorized by statute” (533 U.S. at 699-700)

“After this 6-month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” (533 U.S. at 701)

FACTUAL BACKGROUND

Thach, a Vietnamese citizen who entered the United States in 1989, was ordered removed to Vietnam in 2012 and released by ICE on an Order of Supervision. ICE detained him again on September 2, 2025, and he remained detained for approximately eight months by the time of the decision. The government had not obtained travel documents, and Vietnam had historically refused to accept individuals who entered the United States before 1995 for removal. Although the government was preparing a travel-document application, it did not explain why removal efforts would succeed now or when Vietnam might issue the documents.

PROCEDURAL HISTORY

Thach filed a § 2241 habeas petition alleging that his continued immigration detention was unlawful. The respondent answered, Thach replied, and the court considered the petition on the briefs. The court rejected the

respondent's subject-matter-jurisdiction and merits arguments, granted the petition, and ordered Thach released under the conditions of supervised release that existed before his re-detention.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

No remand was ordered. The respondent was ordered to release Sambo Thach on the same conditions of supervised release that existed before his re-detention and to certify compliance by filing a notice with the court by April 28, 2026. The clerk was directed to email the order to the Warden of the Miami Correctional Facility to secure the release.

CASES CITED

- Liang v. English, No. 3:25CV1052 DRL-SJF, 2026 WL 835853, at *1 (N.D. Ind. Mar. 26, 2026)
- Pho v. Noem, No. 3:25-CV-977-CCB-SJF, 2025 WL 3750684, at *1-*4 (N.D. Ind. Dec. 29, 2025)
- Zadvydas v. Davis, 533 U.S. 678, 689, 699-701 (2001)