

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
OKLAHOMA

Kiet Nguyen v. Pamela Bondi, et al.

Nguyen · No. CIV-25-1356-SLP · Decided March 30, 2026

SUMMARY

The United States District Court for the Western District of Oklahoma declines to adopt the magistrate judge’s recommendation that Kiet Nguyen be released from ICE detention. Because Nguyen was removed to Vietnam and did not challenge mootness, the court denies the habeas petition as moot and dismisses the case without prejudice.

CASE DETAILS

COURT	United States District Court for the Western District of Oklahoma
WRITING FOR THE COURT	Scott L. Palk
JURISDICTION	United States District Court for the Western District of Oklahoma
DECIDED	March 30, 2026
DOCKET	CIV-25-1356-SLP
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief challenging his continued detention by Immigration and Customs Enforcement. After a magistrate judge recommended release, the district court determined that Petitioner had been removed to Vietnam, found the petition moot, declined to adopt the Report and Recommendation, denied the petition as moot, and dismissed the matter without prejudice.
STANDARD OF REVIEW	The court independently addressed mootness as a threshold jurisdictional issue.
PRECEDENTIAL VALUE	Unknown; district court order designated per curiam, with no reporter citation or precedential-status designation in the source.
PARTIES	Kiet Nguyen v. Pamela Bondi, et al.

TOPICS

- immigration detention
- removal proceedings
- subject matter jurisdiction
- procedural due process
- due process

PRACTICE AREAS

immigration

habeas corpus

federal jurisdiction

civil procedure

immigration detention

QUESTIONS PRESENTED

1. Whether Nguyen's habeas petition challenging his ICE detention became moot after he was removed from the United States and was no longer in ICE custody.
2. Whether any exception to the mootness doctrine preserved a live controversy despite Nguyen's removal.

HOLDINGS

1. Because Petitioner was no longer in ICE custody, the requested relief was unavailable and could not be redressed by a decision of the court; the habeas petition was therefore moot.
2. No exception to the mootness doctrine applied because Petitioner made no showing of surviving secondary or collateral consequences or another basis for continued jurisdiction.

KEY QUOTATIONS

“Mootness is a threshold issue because the existence of a live case or controversy is a constitutional prerequisite to federal court jurisdiction.” (at 1)

“Once it becomes impossible for a court to grant effectual relief, a live controversy does not exist, and a case is moot.” (at 2)

FACTUAL BACKGROUND

Petitioner Kiet Nguyen was detained by Immigration and Customs Enforcement and filed a verified petition for a writ of habeas corpus seeking relief from detention. A magistrate judge recommended that he be released based on a finding that continued detention violated due process. Before the district court resolved the recommendation, Respondents represented that Nguyen had been removed to Vietnam, making release from ICE custody unavailable.

PROCEDURAL HISTORY

A magistrate judge recommended that Petitioner be released from ICE detention based on an alleged Fifth Amendment due process violation. The district court later learned that Petitioner had been removed to Vietnam and gave Petitioner an opportunity to contest mootness. No response or extension request was filed, so the court dismissed the habeas petition without prejudice as moot.

DISPOSITION

dismissed

CASES CITED

- *McClendon v. City of Albuquerque*, 100 F.3d 863, 867 (10th Cir. 1996)

- *Alvarez v. Smith*, 558 U.S. 87 (2009)
- *Spencer v. Kemna*, 523 U.S. 1, 7 (1998)
- *Lewis v. Continental Bank Corp.*, 494 U.S. 472, 477-78 (1990)
- *Riley v. I.N.S.*, 310 F.3d 1253, 1256-57 (10th Cir. 2002)
- *Sule v. I.N.S.*, 189 F.3d 478, at *1 (10th Cir. 1999) (unpublished table decision)
- *United States v. Quezada-Enriquez*, 567 F.3d 1228, 1231 (10th Cir. 2009)
- *Ferry v. Gonzales*, 457 F.3d 1117, 1132 (10th Cir. 2006)

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