

DETAINED

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THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE, WASHINGTON

MARINA TZAFIR,

Petitioner,

v.

PAMELA BONDI, United States Attorney
General;
KRISTI NOEM, Secretary of U.S.
Department of Homeland Security;
TODD LYONS, Acting Director, U.S.
Immigration and Customs Enforcement;
CAMMILLA WAMSLEY, Field Office
Director, ICE Seattle Field Office;
BRUCE SCOTT, Warden, Northwest ICE
Processing Center;

Respondents.

Case No.:

PETITION FOR WRIT OF HABEAS
CORPUS PURSUANT TO
28 U.S.C. § 2241

Agency File Number:



PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. The petitioner, Marina Tzafir, is a 57-year-old non-citizen who is currently being held in detention at the Northwest ICE Processing Center (NWIPC) by U.S. Immigration and Citizenship Enforcement (ICE).

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2. Ms. Tzafir was born in the former Uzbek Soviet Socialist Republic within the USSR and later became an Israeli citizen. She has since lost her Israeli citizenship and is now stateless.

3. Ms. Tzafir came to the United States in 1999 with her family and has lived here ever since. In 2000, she applied for asylum. In 2004, the immigration court denied asylum and ordered removal.

4. In 2009, following failed appeals, Ms. Tza'fir attempted to move back to Israel, but Israel refused to issue travel documents, so she was not able to leave. Instead, she was placed under an order of supervision and required to check-in with ICE every year. She consistently complied for 16 years.

5. On August 5, 2025, without notice, explanation, or cause, ICE placed an ankle monitor on Ms. Tzafir and told her to return to their office on August 22, 2025.

6. On August 14, 2025, ICE detained Ms. Tzafir in Portland, Oregon, on her way to work. It transferred her to the Northwest ICE Processing Center in Tacoma later that day. She has been in detention ever since.

7. By revoking the order of supervision, the respondents violated Ms. Tzafir's rights under the Immigration and Nationality Act (INA), its implementing regulations, and the Due Process Clause of the Fifth Amendment. Their continuing detention of Ms. Tzafir is illegal, and Ms. Tzafir seeks immediate release.

PARTIES

1. Petitioner Marina Tzafir is a non-citizen who is currently detained at the Northwest ICE Processing Center in Tacoma, Washington.

2. Respondent Pamela Bondi is the Attorney General of the United States. She is sued in her official capacity.

3. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (“DHS”). She is the cabinet-level secretary responsible for all immigration enforcement in the United States. She is in her official capacity.

4. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs Enforcement (“ICE”). He is the head of the federal agency responsible for all immigration enforcement in the United States. He is sued in his official capacity.

5. Respondent Camilla Wamsley is the Field Office Director of the Immigration and Customs Enforcement (“ICE”) Seattle Field Office and is responsible for overseeing ICE operations pertaining to noncitizens within its territorial jurisdiction, including detentions, enforcement, and removal operations. She is the immediate legal custodian of the petitioner for purposes of a federal habeas petition. She is sued in her official capacity.

6. Respondent Bruce Scott is the Warden of the Northwest ICE Processing Center, the privately-operated immigration detention center where the petitioner is being detained. He is the immediate physical custodian of the petitioner, and he is sued in his official capacity.

JURISDICTION

7. This Court has jurisdiction over this matter under 18 U.S.C. § 1331 (federal question jurisdiction); 28 U.S.C. § 2241 (habeas corpus); and 28 U.S.C. § 1651 (All Writs Act).

8. Further, this Court has jurisdiction under the Suspension Clause of Article I, § 9, cl. 2, of the U.S. Constitution. *See INS v. St. Cyr*, 533 U.S. 289 (2001).

1 9. No other petitions, appeals, or motions regarding habeas corpus have been filed
2 with any other court.

3 10. Venue in the Western District of Washington is appropriate under 28 U.S.C.
4 § 1391(e)(1) because the petitioner is detained in this judicial district.

5 11. Venue is further appropriate under 28 U.S.C. § 1391(e)(1) because the
6 Respondents live, work, and/or operate within this judicial district and because the actions which
7 gave rise to this petition took place in Tacoma, Washington, which falls within this judicial
8 district.

9
10 **FACTUAL BACKGROUND**

11 12. Marina Tzafir is a 57-year-old non-citizen who is currently detained at the
12 Northwest ICE Processing Center (NWIPC) by U.S. Immigration and Citizenship Enforcement
13 (ICE). NWIPC is a privately owned and operated immigration detention facility run by the GEO
14 Group on behalf of ICE.

15 13. Ms. Tzafir was born in 1968 in the former Uzbek Soviet Socialist Republic within
16 the USSR. She immigrated to Israel in 1990 and became an Israeli citizen one or two years later.

17 14. When the Soviet Union fell in 1991, Ms. Tzafir lost any claim to citizenship in its
18 territory. She has never been a citizen of Uzbekistan, Russia, or any other former SSR.

19 15. In 1999, Ms. Tzafir and her family came to the United States on a B-2 Visitor's
20 Visa. In 2000, they applied for asylum, withholding of removal, and relief under the Convention
21 Against Torture. The B-2 visa expired while they waited for adjudication.

1 16. On April 23, 2004, the immigration court denied asylum and other relief, and it
2 ordered the family removed to Israel. The family appealed the decision and later tried to reopen,
3 but all of their efforts failed.

4 17. By 2009, the family had no more legal options to remain in the United States.
5 They attempted to return to Israel, but Israel would not issue travel documents. By then, they had
6 lost their Israeli citizenship and had become stateless.

7 18. ICE placed Ms. Tzafir on an order of supervision. She has been consistently
8 checking in with ICE every year for 16 years. She has not had any violations, and she has
9 maintained her work authorization.

10 19. On August 5, 2025, Ms. Tzafir checked in as usual with ICE. Unexpectedly, ICE
11 placed an ankle monitor on her and told her to return to their office on August 22, 2025. ICE
12 changed the terms of the order of supervision without any notice or cause.

13 20. On August 14, 2025—about a week after the ICE check-in and about a week
14 before the next check-in—ICE detained Ms. Tzafir on her way to work. Nothing happened to
15 precipitate the revocation of her order of supervision. Again ICE acted without any notice or
16 cause.

17 21. Upon information and belief, the only explanation Ms. Tzafir received was a
18 Notice of Revocation of Release saying, “This letter is to inform you that your order of
19 supervision has been revoked and you will be detained in the custody of U.S. Immigration and
20 Customs Enforcement (ICE) at this time. This decision has been made based on a review of your
21 official alien file and a determination that there are changed circumstances in your case.” It cited
22 the basis of detention as 8 C.F.R. 241.4 and 8 C.F.R. 241.13.

1 22. The revocation notice was signed by Erik K. Johnson, Deputy Field Office
2 Director in Portland.

3 23. ICE transferred Ms. Tzafir to the Northwest ICE Processing Center in Tacoma
4 later on the day of her arrest. She has been in detention ever since.

5 24. Prior to her arrest, Ms. Tzafir had spent much of her time on supervision caring
6 for other people. She has seven children, two of whom are still minors. She cares for her disabled
7 husband, who has been unable to work for the last nine years because of his disability. He is not
8 a U.S. citizen, so he does not qualify for Social Security Disability Insurance (SSDI). He
9 depends on Ms. Tzafir for care and support. Ms. Tzafir also cares for her 93-year old father, who
10 has significant health issues.

11
12 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

13 25. There are no administrative remedies that can provide the relief the petitioner
14 seeks.

15
16 **IRREPARABLE INJURY**

17 26. Ms. Tzafir has suffered irreparable injury as a result of her detention. Her physical
18 liberty continues to be restrained, and no just cause for doing so can be specified. In addition, she
19 has been irreparably injured because she has been unavailable to care for her family, including
20 for her minor children, her elderly father, and her disabled husband.

CLAIMS FOR RELIEF

FIRST CLAIM FOR RELIEF

Violation of 8 C.F.R. 241.4(l) and 8 C.F.R. 241.13(i)(3)

27. The petitioner re-alleges and incorporates by reference the allegations set forth in each of the preceding paragraphs of this Petition.

28. The continued detention violates 8 C.F.R. 241.4(l)(1) and 8 C.F.R. 241.13(i)(3), because Ms. Tzafir was not adequately notified of the reasons for the revocation, being told only that “there are changed circumstances in your case.”

29. The continued detention violates 8 C.F.R. 241.4(l)(2) because there exist here none of the circumstances permitting revocation of supervision, such as failure to comply with supervision.

30. The continued detention also violates 8 C.F.R. 241.4(l)(2) because the person who revoked the supervision, a deputy Field Office Director, was not legally authorized to do so.

SECOND CLAIM FOR RELIEF

Violation of 8 U.S.C. 1231(a)

31. The petitioner re-alleges and incorporates by reference the allegations set forth in each of the preceding paragraphs of this Petition.

32. The continued detention violates 8 U.S.C. 1231(a). The 90-day statutory removal period under 8 U.S.C. 1231(a)(1) began and ended many years ago, and no other provision of 8 U.S.C. 1231(a) justifies detention.

33. In addition, the continued detention violates 8 U.S.C. 1231(a) because there is no significant likelihood of removal in the reasonably foreseeable future. *Zadvydas v. Davis*, 533

1 U.S. 678, 699 (2001). After more than two months in detention, the respondents have yet to
2 identify any country to which Ms. Tzafir can be removed.

3
4 **THIRD CLAIM FOR RELIEF**
5 **Violation of Due Process**

6 34. The petitioner re-alleges and incorporates by reference the allegations set forth in
7 each of the preceding paragraphs of this Petition.

8 35. The continued detention violates the petitioner's right to Due Process under the
9 Fifth Amendment because the respondents violated their own regulations in revoking the order
10 of supervision. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

11 36. The continued detention also violates Due Process because it is not reasonably
12 related to a legitimate government purpose. *Zadvydas*, 533 U.S. at 690. This detention has no
13 purpose at all.

14 **PRAYER FOR RELIEF**

15 WHEREFORE, Petitioner prays that this Court grant the following relief:

- 16 a. Assume jurisdiction over this matter;
17 b. Issue a writ of habeas corpus ordering Respondents to immediately release Ms. Tzafir
18 from their custody;
19 c. Issue an order preventing Respondents from once again taking Ms. Tzafir into custody
20 unless they have executable travel documents to remove her from the United States and
21 provide her with a notice and a meaningful hearing before detaining her;
22 d. Issue an order providing for an award of attorney's fees and costs; and
23 e. Grant such other relief as may be just and reasonable.

1 Dated: October 22, 2025.

2 /s/ Kelly Vomacka

3 Kelly Vomacka, WSBA 20090

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