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IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON
EUGENE DIVISION

B.D.A.A.,

Petitioner,

vs.

DREW BOSTOCK, Seattle Field Office
Director, U.S. Immigration and Customs
Enforcement and Removal Operation, KRISTI
NOEM, Secretary of Homeland Security,
PAMELA BONDI, Attorney General, TODD
LYONS, Acting Director of Immigration and
Customs Enforcement, U.S. DEPARTMENT
OF HOMELAND SECURITY, U.S.
IMMIGRATION AND CUSTOMS
ENFORCEMENT, and U.S. DEPARTMENT
OF JUSTICE

Respondents.

) File No. 6:25-cv-02062-AA
)
) Agency No.
)
) AXXX-XXX-906
)
) **AMENDED PETITION FOR**
) **HABEAS CORPUS**
)
) ORAL ARGUMENT
) REQUESTED
)
) Expedited hearing requested
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For her complaint against respondents, petitioner alleges as follows

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JURISDICTION AND VENUE

1. This action arises under the Constitution of the United States and the Immigration and Nationality Act (INA), 8 U.S.C. § 1101 et. seq.

2. This court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause).

3. In addition, "a federal court always has jurisdiction to determine its own jurisdiction," including its own subject-matter jurisdiction. *Brownback v. King*, 592 U.S. 209, 218-19 (2021) (quoting *United States v. Ruiz*, 536 U.S. 622, 628 (2002)).

4. To give a court a reasonable opportunity to determine whether it has subject-matter jurisdiction and whether venue is proper in a district, and if so to consider the validity of a habeas petition, a court may order the preservation of the status quo. See *United States v. United Mine Workers of Am.*, 330 U.S. 258, 293 (1947) ("[T]he District Court ha[s] the power to preserve existing conditions while it ... determine[s] its own authority to grant injunctive relief," unless the assertion of jurisdiction is frivolous.).

5. Venue is proper because petitioner is now in custody in Oregon and because a substantial part of the events giving rise to his claims occurred in this district. 28 U.S.C. § 1391(e). For these same reasons, divisional venue is proper under Local Rule 3.2(b)

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AMENDED PETITION FOR HABEAS CORPUS

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THE PETITIONER

6. Petitioner is a resident of the state of Oregon, and she is in the state of Oregon as of the time of filing this amended petition, specifically at the Immigration and Customs Enforcement detention center in Portland, Oregon

7. Petitioner was arrested by agents of the respondents on November 5, 2025 at about 11:20 a.m. in Albany, Oregon and is in their actual physical custody at the time of the filing of this amended petition.

PROCEEDING ANONYMOUSLY

8. Petitioner seeks leave to proceed anonymously because public identification creates a risk of retaliatory physical harm risk due to the fact that the nature of her claim is sensitive and highly personal. See *Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058, 1068 (9th Cir. 2000).

9. Petitioner will provide her name to respondents under seal or other appropriate means of communication under the circumstances of this case.

RESPONDENTS

10. Respondent DREW BOSTOCK is the Field Office Director for the Seattle Field Office, Immigration and Customs Enforcement and Removal Operations ("ICE"). The Seattle Field Office is responsible for local custody decisions relating to non-citizens charged with being removable from the United States, including the arrest, detention, and custody status of noncitizens.

11. The Seattle Field Office's area of responsibility includes Alaska, Oregon, and Washington. Consequently, respondent DREW BOSTOCK is the immediate legal custodian of petitioner.

12. Respondent KRISTI NOEM is the Secretary of Homeland Security and is responsible for the actions of that department, its subagencies, officers and personnel.

13. Respondent PAMELA BONDI is the Attorney General of the United States and has responsibility for the conduct and operations of the Department of Justice and all of its officers and personnel, including the Executive Office for Immigration Review.

14. Respondent TODD LYONS is the Acting Director of ICE, and responsible for the means by which the immigration laws of the United States are enforced.

15. Respondent U.S. DEPARTMENT OF HOMELAND SECURITY is an agency of the United States with responsibility for the enforcement of the nation's immigration laws. It is under the direction of respondent KRISTI NOEM.

16. Respondent U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT is an agency of respondent U.S. DEPARTMENT OF HOMELAND SECURITY and is under the direction of respondent TODD LYONS.

17. Respondent U.S. DEPARTMENT OF JUSTICE is an agency of the United States and is under the direction of respondent PAMELA BONDI.

18. All individual defendants are sued in their official capacities.

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FIRST CLAIM FOR RELIEF

UNLAWFUL ARREST

19. On November 5, 2025, petitioner was operating a motor vehicle on a public highway in Albany, Oregon. Without lawful cause, she was stopped by officers of the respondents and arrested. Specifically, the officers of the respondent lacked probable cause to believe that the petitioner had violated any traffic law, and were not sufficiently aware of her identity to have a reasonable belief that she was present in the United States without lawful status.

20. This arrest was in violation of the Fourth Amendment to the United States Constitution and the consent agreement entered in the case of Margarito Castañon Nava, et al v. Department of Homeland Security, et al, U.S. District Court for the Northern District of Illinois, Eastern District, Case number 1:18-cv-03757 (Oct 7, 2025), dkt 52 (memorandum decision and order).

21. Wherefore petitioner prays for relief as follows in that this court:

- a. Assume jurisdiction over this matter.
- b. Order Respondents to show cause within three days why this petition should not be granted.
- c. Bar respondents from removing petitioner from the District of Oregon absent further order of this court.

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- d. Issue a Writ of Habeas Corpus ordering Petitioner's release from custody.
- e. Award Petitioner his attorney's fees and costs; and
- f. Grant any other relief that the Court deems just and proper.

Dated this 5th day of November 2025

/s/ Michael T. Purcell

MICHAEL T. PURCELL
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