

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Dayan CABRERA PEREZ, Jhon SEGURA
MENDOZA, Gabriela CAMACHO MORENO,
Melissa Merizema, Flor de Maria MENDEZ
JOVEL, ARUN (no last name), Shuke HIREY,
Daljeet KAUR, Marialissa LOPEZ RAMIREZ,
and Noe SIQUINA RISCAJCHE,

Petitioners,

v.

Laura HERMOSILLO, Seattle Acting Field
Office Director, Enforcement and Removal
Operations, United States Immigration and
Customs Enforcement (ICE); Bruce SCOTT,
Warden, Northwest ICE Processing Center;
Kristi NOEM, Secretary, United States
Department of Homeland Security; UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY; Pamela BONDI, U.S. Attorney
General;

Respondents.

Case No. 2:25-cv-2542

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

INTRODUCTION

1. This case challenges Respondents' unlawful re-detention of Petitioners Dayan Cabrera Perez, Jhon Segura Mendoza, Gabriela Camacho Moreno, Melissa Merizema, Arun,¹ Shuke Hirey, Daljeet Kaur, Marialissa Lopez Ramirez, and Noe Siquina Riscajche. All ten Petitioners are currently in the physical custody of Respondents at the Northwest ICE Processing Center (NWIPC).

2. Each Petitioner was apprehended shortly after entering the United States and thereafter released from immigration custody for the purpose of pursuing relief in removal proceedings. Since their release, each Petitioner has fulfilled their conditions of release, attended removal proceedings, submitted applications for relief, received employment authorization, and built a life in the United States. None have criminal records in the United States or any other country.

3. Despite Petitioners' compliance while released, including attending their court hearings in their removal proceedings, each was abruptly and unlawfully re-detained by the Department of Homeland Security (DHS).

4. Prior to re-detaining each of the Petitioners, Respondents did not provide any written notice explaining the basis for the revocation of their releases. Likewise, Respondents did not assess whether Petitioners presented a flight risk or danger to the community prior to their re-arrests. Nor did Respondents provide a hearing before a neutral decisionmaker, where Immigration and Customs Enforcement (ICE) was required to justify the basis for re-detention or to explain why each Petitioner is now a flight risk or danger to the community.

¹ Petitioner Arun (Mr. Arun) has no family name. *See* Arun Decl. ¶ 1.

5. As this Court has recently held in multiple cases, due process demands a hearing prior to the government's decision to terminate a person's liberty. *See, e.g., E.A. T.-B. v. Wamsley*, --- F. Supp. 3d --- No. C25-1192-KKE, 2025 WL 2402130, at *2–6 (W.D. Wash. Aug. 19, 2025); *Ramirez Tesara v. Wamsley*, --- F. Supp. 3d ---, No. 2:25-CV-01723-MJP-TLF, 2025 WL 2637663, at *2–4 (W.D. Wash. Sept. 12, 2025); *Ledesma Gonzalez v. Bostock*, No. 2:25-CV-01404-JNW-GJL, 2025 WL 2841574, at *7–9 (W.D. Wash. Oct. 7, 2025); *Kumar v. Wamsley*, No. 2:25-CV-01772-JHC-BAT, 2025 WL 2677089, at *2–4 (W.D. Wash. Sept. 17, 2025); Report & Recommendation, *Lopez Reyes v. Wamsley*, No. 2:25-cv-01868-JLR-MLP (W.D. Wash. Oct. 15, 2025), Dkt. 13; *Y.M.M. v. Wamsley*, No. 2:25-CV-02075-TMC, 2025 WL 3101782, at *2 (W.D. Wash. Nov. 6, 2025); *P.T. v. Hermosillo*, No. C25-2249-KKE, 2025 WL 3294988, at *4 (W.D. Wash. Nov. 26, 2025); Order, *Francois v. Wamsley*, No. 2:25-cv-02122-RSM-GJL (W.D. Wash. Dec. 5, 2025), Dkt. 22 at 8. Many other courts have recently held the same.

6. By failing to provide such a hearing, Respondents have violated Petitioners' constitutional rights to due process.

7. Accordingly, this Court should grant the instant petition for a writ of habeas corpus and order Petitioners' immediate release. *See E.A. T.-B.*, 2025 WL 2402130, at *6 (ordering immediate release because "a post-deprivation hearing cannot serve as an adequate procedural safeguard because it is after the fact and cannot prevent an erroneous deprivation of liberty"); *Ramirez Tesara*, 2025 WL 2637663, at *4 (similar); *Kumar*, 2025 WL 2677089, at *3–4 (similar); *Ledesma Gonzalez*, 2025 WL 2841574, at *9 (similar); *Y.M.M.*, 2025 WL 3101782, at *2–3 (similar); *P.T.*, 2025 WL 3294988, at *4 (similar).

JURISDICTION

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

9. 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).

10. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241 et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.

VENUE

11. Venue is proper because all ten Petitioners are in Respondents' custody at the NWIPC in Tacoma, Washington. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 493–500 (1973), venue lies in the judicial district in which Petitioners are currently in custody.

12. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Western District of Washington.

REQUIREMENTS OF 28 U.S.C. § 2243

13. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the Respondents “forthwith,” unless Petitioners are not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court must require Respondents to file a return

1 “within three days unless for good cause additional time, not exceeding twenty days, is allowed.”

2 *Id.*

3 14. Habeas corpus is “perhaps the most important writ known to the constitutional
4 law . . . affording as it does a swift and imperative remedy in all cases of illegal restraint or
5 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963). “The application for the writ usurps the
6 attention and displaces the calendar of the judge or justice who entertains it and receives prompt
7 action from him within the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120
8 (9th Cir. 2000) (citation omitted); *see also Van Buskirk v. Wilkinson*, 216 F.2d 735, 737–38 (9th
9 Cir. 1954) (habeas corpus is “a speedy remedy, entitled by statute to special, preferential
10 consideration to insure expeditious hearing and determination”).

11 **PARTIES**

12 15. Petitioner Dayan Cabrera Perez is a citizen of Cuba. He is detained at the NWIPC.

13 16. Petitioner Jhon Segura Mendoza is a citizen of Colombia. He is detained at the
14 NWIPC.

15 17. Petitioner Gabriela Camacho Moreno is a citizen of Mexico. She is detained at the
16 NWIPC.

17 18. Petitioner Melissa Merizema is a citizen of Haiti. She is detained at the NWIPC.

18 19. Petitioner Flor de Maria Mendez Jovel is a citizen of Guatemala. She is detained
19 at the NWIPC.

20 20. Petitioner Arun (no last name) is a citizen of India. He is detained at the NWIPC.

21 21. Petitioner Shuke Hirey is a citizen of Somalia. He is detained at the NWIPC.

22 22. Petitioner Daljeet Kaur is a citizen of India. She is detained at the NWIPC.
23

1 23. Petitioner Marialissa Lopez Ramirez is a citizen of Colombia. She is detained at
2 the NWIPC.

3 24. Petitioner Noe Siquina Riscajche is a citizen of Guatemala. He is detained at the
4 NWIPC.

5 25. Respondent Laura Hermosillo is the Acting Field Office Director for ICE's
6 Seattle Field Office. The Seattle Field Office is responsible for local custody decisions relating to
7 noncitizens charged with being removable from the United States. The Seattle Field Office's area
8 of responsibility includes Alaska, Oregon, and Washington. Respondent Hermosillo is a legal
9 custodian of Petitioners and is sued in her official capacity.

10 26. Respondent Bruce Scott is employed by the private corporation The GEO Group,
11 Inc., as Warden of the NWIPC, where Petitioners are detained. He has immediate physical
12 custody of Petitioners. He is sued in his official capacity.

13 27. Respondent Kristi Noem is the Secretary of the Department of Homeland Security
14 (DHS). She is responsible for the implementation and enforcement of the Immigration and
15 Nationality Act (INA), and oversees ICE, which is responsible for Petitioners' detention. Ms.
16 Noem has ultimate custodial authority over Petitioners and is sued in her official capacity.

17 28. Respondent U.S. Department of Homeland Security (DHS) is the federal agency
18 responsible for implementing an enforcing the INA, including the detention and removal of
19 noncitizens.

20 29. Respondent Pamela Bondi is the Attorney General of the United States, and as
21 such has authority over the Department of Justice. She is sued in her official capacity.

FACTUAL BACKGROUND

Petitioner Dayan Cabrera Perez

30. Petitioner Dayan Cabrera Perez is a citizen of Cuba who fled political persecution and entered the United States on or around March 20, 2022. *See* Cabrera Decl. ¶¶ 1–2; Ex. A.² He was apprehended by immigration officials, taken into custody, and on April 4, 2022, released on his own recognizance with a Notice to Appear. Cabrera Decl. ¶ 2.

31. Mr. Cabrera moved to Miami, Florida, where he followed the requirements of his immigration process to the best of his ability. *Id.* ¶ 3. He notified DHS of his current address, presented for check-ins, and complied with the requirements of his release. *Id.* He attended his immigration court hearings, timely-filed his asylum application in February 2023, and thereafter received his work permit. *Id.* ¶ 4; Ex. B. He found a full-time job and gained financial stability. Cabrera Decl. ¶ 6. He led a “peaceful” life in Florida, with close community and family support that included his uncle and sister in Tampa. *Id.* ¶¶ 6–7.

32. On May 27, 2025, Mr. Cabrera attended his last court hearing at the Miami Immigration Court, where DHS moved to dismiss his removal proceedings. *Id.* ¶ 4. Despite his pending asylum application and over his objection, the Immigration Judge (IJ) granted the motion and dismissed Mr. Cabrera’s case. *See id.*; Ex. C.

33. That same day, ICE officers immediately arrested Mr. Cabrera in the area just outside the court room. *Id.* ¶ 5. Although Mr. Cabrera had lived in his community for over two years and without incident, the immigration officers told him he was being detained for expedited removal proceedings. *Id.* He was taken to the NWIPC in Tacoma, Washington, where

² All exhibit citations are to the authenticating declaration of Amanda Ng filed contemporaneously with this petition.

1 he remains. *Id.* On June 2, 2025, Mr. Cabrera filed appealed the IJ's decision to dismiss removal
2 proceedings over his objections. *Id.* ¶ 4; Ex. D. His appeal before the Board of Immigration
3 Appeals remains pending, and he does not have a final order of removal. *See id.*

4 34. Mr. Cabrera has no criminal history: he has "never been arrested by police,
5 charged, or convicted of any crime." Cabrera Decl. ¶ 6. His re-detention has forced him to forego
6 his lawful employment and separated him from close family in Florida. *Id.* ¶¶ 7–8.

7 35. Prior to Mr. Cabrera's re-arrest outside the courtroom on May 27, 2025, he did
8 not receive written notice of the reason for his re-detention.

9 36. Prior to Mr. Cabrera's re-arrest, ICE did not assess whether he presented a flight
10 risk or danger to the community.

11 37. Prior to Mr. Cabrera's re-arrest, he was not afforded a hearing before a neutral
12 decisionmaker to determine if his re-detention was justified.

13 **Petitioner Jhon Segura Mendoza**

14 38. Petitioner Jhon Segura Mendoza is a citizen of Colombia who fled death threats,
15 entered the United States on or around September 10, 2022, and released on parole on September
16 11, 2022. *See Segura Decl.* ¶¶ 1–2; Ex. E. He was released with a cell phone from ICE for the
17 purpose of checking in. *Segura Decl.* ¶ 2.

18 39. Mr. Segura complied with the immigration laws to the best of his ability. *Id.* ¶ 4.
19 He moved to Orlando, Florida and used the ICE-provided cell phone to submit photos of himself
20 through the phone every Tuesday. *Id.* ¶ 3. Mr. Segura also presented himself for an in-person
21 check-in appointment in late September 2022, as instructed. *Id.* ¶ 4; Ex. F. Because the building
22 was closed due to Hurricane Ian, *see id.*, Mr. Segura was only able to speak to a guard, who
23

1 informed him that the office would be rescheduling all appointments, Segura Decl. ¶ 4. He never
2 received notice for a rescheduled appointment. Segura Decl. ¶ 4.

3 40. Mr. Segura moved to Spokane, Washington and continued complying with the
4 conditions of his release. *See id.* ¶¶ 2–3. On Tuesdays, in response to a notification on the phone,
5 he followed the on-screen menu to submit a photo of himself “without a hat or glasses.” *Id.* ¶ 3.
6 He built a “strong group of friends” in Spokane and felt “grateful for the opportunity to be in the
7 United States.” *Id.* ¶ 9.

8 41. Despite initial challenges, Mr. Segura filed his asylum application by May 2024,
9 *id.* ¶ 5; Ex. G, and received employment authorization by November 2024, Ex. H. He later
10 discovered that the person who helped him prepare his asylum application had misrepresented
11 herself as an attorney. Segura Decl. ¶ 6.

12 42. On November 4, 2025, Mr. Segura received an alert to submit a photo on his ICE-
13 provided cellphone. *Id.* Although the phone rang as usual, the home screen remained frozen. *Id.*
14 Once again, Mr. Segura did his best to document his efforts to comply, taking a photo of himself
15 to show that the phone was not allowing him to capture a photo. *Id.* That afternoon, his niece
16 received a call from an officer asking why Mr. Segura had not submitted a photo. But when Mr.
17 Segura tried to call the number back, he received no answer and no option to leave a voicemail.
18 *Id.* The same happened when he tried calling the number listed on the home screen of the ICE
19 cellphone. *Id.* Without an attorney, it took Mr. Segura a few days to locate the address for the
20 nearest ICE office. *Id.*

21 43. On November 7, 2025, Mr. Segura affirmatively went to the Spokane ICE office
22 to explain the issues with his ICE-provided phone. *Id.* After he showed an ICE officer that the
23 phone was frozen, he received an appointment to return the next Monday to allow ICE to install

1 the application in his personal phone. *Id.* The officer told him that the phone he had been given
2 was very old, and probably the reason that the application had malfunctioned. *Id.* He was not
3 given any indication that he might be detained. *Id.*; *see also* Ex. I.

4 44. On November 10, 2025, Mr. Segura presented himself at 11:00 A.M. for his
5 appointment. Segura Decl. ¶ 6. He was detained without explanation and taken to the NWIPC in
6 Tacoma, Washington, where he remains. *See id.* ¶¶ 6, 8.

7 45. Mr. Segura has no criminal history anywhere in the world. *Id.* ¶ 7. Since being re-
8 detained, he has suffered severe anxiety, including inability to sleep, nightmares, racing
9 thoughts, and chest constrictions. *Id.* ¶ 8.

10 46. Prior to Mr. Segura's re-arrest on November 10, 2025, he did not receive written
11 notice of the reason for his re-detention.

12 47. Prior to Mr. Segura's re-arrest, ICE did not assess whether he presented a flight
13 risk or danger to the community.

14 48. Prior to Mr. Segura's re-arrest, he was not afforded a hearing before a neutral
15 decisionmaker to determine if his re-detention was justified.

16 **Petitioner Gabriela Camacho Moreno**

17 49. Petitioner Gabriela Camacho Moreno is a citizen of Mexico, *see* Ex. K, who
18 entered the United States to seek asylum with her son, Cristian, on or around January 20, 2024,
19 Camacho Decl. ¶ 2. She presented herself to immigration officers to ask for asylum and was
20 released on her own recognizance, Ex. J, with a Notice to Appear, Ex. K, and instructions to
21 report to the ICE office in Spokane, Washington, Camacho Decl. ¶ 3.

22 50. Ms. Camacho and her son moved to Spokane to live with her former sister-in-law.
23 *Id.* ¶¶ 5, 7. The two of them reported to the ICE office, and officers installed an application on

1 Cristian's phone and instructed him to send photos of himself on behalf of both of them every
2 Wednesday. *Id.* ¶ 5. In addition, Ms. Camacho and her son were instructed to report in-person
3 about every three months. *Id.* Although technical issues were known to occur, Cristian always
4 sent his weekly photos "multiple times until ICE received them." *Id.* ¶ 6.

5 51. Around March 2024, Ms. Camacho received a notice in the mail informing her
6 that her court date had changed from August 2024 to January 2027. *See id.* ¶ 4.

7 52. In the meantime, Ms. Camacho's former sister-in-law forced her to work in the
8 house for about 12 hours every day. *Id.* ¶ 7. Even after Ms. Camacho began paying rent, her
9 sister-in-law continued to insist that Ms. Camacho owed a debt. *Id.* When Ms. Camacho and
10 Cristian began resisting this abuse, they were forced to leave the house. *Id.* She found a new
11 apartment around September or October 2024, and Cristian notified ICE of their new address at
12 their next appointment. *Id.* ¶ 8.

13 53. Ms. Camacho submitted her asylum application to the Seattle Immigration Court
14 in January 2025 and later received her work permit. *Id.* ¶ 9. She planned to attend her first
15 hearing on January 4, 2027. *Id.*

16 54. In September 2025, Ms. Camacho and her son became concerned after
17 discovering that they had misplaced the papers indicating the date of their next in-person check-
18 in. *Id.* ¶ 10. When they did not receive any response to their calls and messages through the
19 phone application, they went to the ICE office in person on or around September 22, 2025 to ask
20 for the date. *Id.* ¶¶ 10–11. The officer stated that their affirmative visit would count as their
21 required check-in for September and gave them their next check-in date of March 12, 2026. *Id.* ¶
22 11. Following their check-in, Cristian received a message setting an ICE check-in for October
23 14, 2025. *Id.* ¶ 12.

1 55. On October 14, 2025, Ms. Camacho and her son presented themselves for their
2 appointment. Their usual officer informed them that ICE would be taking them to Tacoma “for a
3 document verification,” and that the order came from his superiors. *Id.* He told them that they
4 would leave the detention center within 72 hours. *Id.* Instead, Ms. Camacho and her son were
5 detained upon arrival at the facility. *Id.* They were not told of the reason for their re-detention.
6 *Id.*

7 56. Ms. Camacho remains detained at the NWIPC, but Cristian has since been
8 transferred to another facility and deported. *Id.* ¶ 13. Ms. Camacho has no criminal history
9 anywhere. *Id.*

10 57. Prior to Ms. Camacho’s re-arrest on October 14, 2025, she did not receive written
11 notice of the reason for her re-detention.

12 58. Prior to Ms. Camacho’s re-arrest, ICE did not assess whether she presented a
13 flight risk or danger to the community.

14 59. Prior to Ms. Camacho’s re-arrest, she was not afforded a hearing before a neutral
15 decisionmaker to determine if her re-detention was justified.

16 **Petitioner Melissa Merizema**

17 60. Petitioner Melissa Merizema is a citizen of Haiti who fled for her life and entered
18 the United States on February 10, 2024. Merizema Decl. ¶¶ 1–2. Following her CBP One
19 appointment, she was paroled, issued a Form I-94, served with a Notice to Appear, and released
20 into the United States on February 11, 2024. *Id.*; Ex. L; Ex. M at 5.

21 61. Ms. Merizema moved to live with her brother, a U.S. citizen, in Richland,
22 Washington. Merizema Decl. ¶ 10. After her release, she complied with the requirements of her
23

1 immigration process to the best of her ability. *Id.* ¶¶ 3–4. She attended her ICE appointments and
2 responded whenever requested. *Id.* ¶ 3.

3 62. Ms. Merizema also applied for asylum and temporary protected status. *Id.* ¶ 4.
4 She received employment authorization, *id.*, obtained medical insurance coverage, *id.* ¶ 5, and
5 established care at [REDACTED] to treat ongoing severe pain in her lower
6 abdominal and pelvic area, *id.* ¶ 5. She eventually received a diagnosis for female pelvic
7 congestion syndrome. *Id.* In addition to support from her brother, Ms. Merizema developed
8 close relationships with her seven-year-old niece and her niece’s mother, Christina, *id.* ¶ 14, and
9 built a network of support among friends and volunteers in the Richland area, *id.* ¶ 15.

10 63. On July 16, 2025, Ms. Merizema received instructions to report to the Richland
11 ICE office on July 31, 2025. *Id.* ¶ 6. When she presented herself as directed, the ICE officers
12 informed her that they were arresting her and taking her into custody. *Id.* ¶ 7. Although she asked
13 why, she was not provided with any reasons. *Id.*

14 64. Ms. Merizema also tried to inform the arresting officers of her medical issues,
15 which include [REDACTED] *Id.* ¶¶ 8–9. The arresting
16 officers dismissed her concerns and told her to seek care once she was at the detention center. *Id.*
17 ¶ 9; *see also* Ex. M at 5. She was eventually taken to the NWIPC in Tacoma, Washington, where
18 she remains detained. *See id.* ¶ 7.

19 65. Ms. Merizema has no criminal history. *Id.* ¶ 13.

20 66. Ms. Merizema’s removal proceedings was transferred to the Tacoma Immigration
21 Court, where she was forced to prepare her case from detention. *See id.* ¶ 12. On November 25,
22 202, an IJ found her credible but denied relief on her applications. *Id.* She is filing an appeal with
23 the Board of Immigration Appeals and does not have a final order of removal. *See id.*

1 67. Since being re-detained, Ms. Merizema's health has deteriorated and warranted
2 two trips out of the facility to the hospital. *Id.* ¶ 10. Despite an order for additional screening, the
3 NWIPC has not followed up on Ms. Merizema's care. *Id.* Although she remains in "terrible pain
4 on a daily basis," her request for a wheelchair has also been refused. *Id.*; *see also* Ex. N.

5 68. Prior to Ms. Merizema's re-arrest on July 31, 2025, she did not receive written
6 notice of the reason for her re-detention.

7 69. Prior to Ms. Merizema's re-arrest, ICE did not assess whether she presented a
8 flight risk or danger to the community.

9 70. Prior to Ms. Merizema's re-arrest, she was not afforded a hearing before a neutral
10 decisionmaker to determine if her re-detention was justified.

11 **Petitioner Flor de Maria Mendez Jovel**

12 71. Petitioner Flor de Maria Mendez Jovel is a citizen of Guatemala who fled political
13 persecution and entered the United States on or around December 21, 2023. Mendez Decl. ¶¶ 1,
14 2. Following a credible fear interview, she was issued a Notice to Appear for her first hearing in
15 July 2027 and released with an ankle monitor. *Id.*

16 72. Ms. Mendez moved to Oregon and attended an ICE appointment about two weeks
17 later. *Id.* At that appointment, ICE removed the ankle monitor and instructed her to check in by
18 sending a photo through a phone application every eight days. *Id.* She thereafter complied to the
19 best of her ability. *Id.* On one occasion, Ms. Mendez recalls she was unable to pick up a check-in
20 phone call while at work. *Id.* She called her assigned officer back as soon as possible to explain,
21 and her check-ins "resumed as normal." *Id.*

22 73. On December 18, 2024, Ms. Mendez filed her Form I-589 asylum application to
23 the Portland Immigration Court, ahead of her first court date in 2027. *Id.* ¶ 4. She also applied for

1 and was granted employment authorization, receiving a work permit in June 2025. *Id.* She
2 developed a community in Oregon that included six aunts and uncles, and ten cousins. *Id.* ¶ 8.

3 74. On October 31, 2025, Ms. Mendez was a passenger in a car that was stopped by
4 three unmarked police vehicles. *Id.* ¶ 5. The officers identified themselves as ICE agents and
5 asked if Ms. Mendez had legal permission to be in the United States. *Id.* Even though she
6 presented her work permit, the officers told Ms. Mendez that she was being re-arrested, claiming
7 that she had missed a phone check-in and needed to speak to her assigned ICE officer. *Id.* When
8 Ms. Mendez explained that she had already called her officer back and resumed her check-ins
9 since the missed call, the officers told her she nevertheless needed to go with them to speak to
10 her ICE officer to be considered for release. *Id.*

11 75. Instead, Ms. Mendez was taken to the NWIPC in Tacoma. *Id.* She was never
12 given the opportunity to speak to her assigned officer at all. *Id.*

13 76. Ms. Mendez has no criminal history. *Id.* ¶ 6. She remains detained and has waited
14 over a month to receive a court date. *Id.* ¶ 7.

15 77. Prior to Ms. Mendez's re-arrest on October 31, 2025, she did not receive written
16 notice of the reason for her re-detention.

17 78. Prior to Ms. Mendez's re-arrest, ICE did not assess whether she presented a flight
18 risk or danger to the community.

19 79. Prior to Ms. Mendez's re-arrest, she was not afforded a hearing before a neutral
20 decisionmaker to determine if her re-detention was justified.

21 **Petitioner Arun**

22 80. Petitioner Arun is a citizen of India who fled political persecution, entered the
23 United States on May 27, 2024, and was apprehended by immigration officers that same day.

1 Arun Decl. ¶¶ 1, 3. He was briefly held in custody before receiving a Notice to Appear in the
2 Santa Ana Immigration Court in November 2024, Ex. O, and released on his own recognizance,
3 Arun Decl. ¶ 4. He was instructed to schedule an appointment with his local ICE office within
4 the next 60 days. *Id.*

5 81. Mr. Arun stayed in California before moving in June 2024 to be near his close
6 family friend in Vancouver, Washington. *See id.* ¶¶ 4, 12. He notified the immigration court of
7 his change of address and received a new court date of November 16, 2026 at the Seattle
8 Immigration Court. *Id.* ¶ 5.

9 82. In mid-July 2024, Mr. Arun went to his nearest ICE office in Portland, Oregon to
10 schedule his appointment within 60 days of his release, as instructed. *See id.* ¶ 6. Rather than
11 give him an appointment, the Portland ICE Office informed him that he needed to go to the
12 Ontario ICE Office in California. *Id.* Mr. Arun consequently traveled to the Ontario ICE Office
13 in late July, where he was told to return to Portland to schedule his appointment. *Id.* Accordingly,
14 Mr. Arun returned home to present himself again at the Portland ICE Office. *Id.* He had his
15 initial appointment on August 15, 2024 and began submitting weekly photo check-ins on his
16 phone as instructed. *Id.* ¶ 7.

17 83. Mr. Arun did his best to follow the steps of his immigration process. *Id.* ¶ 12. On
18 October 12, 2024, he filed his Form I-589 application for asylum with the Seattle Immigration
19 Court. *Id.* ¶ 5.

20 84. While waiting for his November 16, 2026 court date, *see id.* ¶ 5, Mr. Arun “buil[t]
21 a law-abiding life in the United States,” *id.* ¶ 12. He and his wife lived amongst a community of
22 friends and became members of the temple nearby, attending to worship about three times each
23 week. *Id.* He received guidance and support from his family friend, a U.S. citizen and childhood

1 friend of his father. *Id.* By November 2025, he had received a work permit and “was looking
2 forward to begin working.” *See id.*

3 85. On November 7, 2025, Mr. Arun was re-detained by immigration officer at his
4 apartment. *Id.* ¶ 8; Ex. P. That day, immigration officials appeared at his door, showed Mr. Arun
5 a photo of himself, and asked him to step outside. Arun Decl. ¶ 8. The officers did not state the
6 purpose of their visit. *Id.* After Mr. Arun complied, the officers put him in handcuffs. *Id.*
7 Although he asked for the reason for his re-arrest, the officers “ignored [him] and remained
8 silent.” *Id.* Despite Mr. Arun’s explanation of his pending asylum application and upcoming
9 hearing, he was taken to the NWIPC. *Id.*

10 86. Mr. Arun has no criminal history. *Id.* ¶ 10. Since being detained, he has
11 experienced nightmares of the events that forced him to flee India. *Id.* ¶ 11. He remains detained
12 in Tacoma, *id.*, and still does not understand the reason for his re-detention, *id.* ¶ 12.

13 87. Prior to Mr. Arun’s re-arrest on November 7, 2025, he did not receive written
14 notice of the reason for his re-detention.

15 88. Prior to Mr. Arun’s re-arrest, ICE did not assess whether he presented a flight risk
16 or danger to the community.

17 89. Prior to Mr. Arun’s re-arrest, he was not afforded a hearing before a neutral
18 decisionmaker to determine if his re-detention was justified.

19 **Petitioner Shuke Hirey**

20 90. Petitioner Shuke Hirey is a citizen of Somalia who fled death threats and other
21 harm to enter the United States on April 30, 2024. Hirey Decl. ¶ 2. Shortly after entering, he was
22 apprehended and taken into custody by immigration officials. *Id.* After about one month in
23 detention and following a positive credible fear interview, he was released. *Id.*

1 91. Mr. Hirey moved to Washington State, where he complied with the requirements
2 of his release to the best of his ability. *See id.* ¶¶ 3, 8. Every Friday, Mr. Hirey waited to receive
3 a noise alert on his cell phone and responded with a photo as instructed. *Id.* ¶ 3. In November
4 2025, he went to the Intensive Supervision Appearance Program (ISAP) office and successfully
5 fixed a technical issue with the phone application before leaving the office. *Id.*

6 92. By December 2025, Mr. Hirey had established residence in Seattle, in the same
7 building as an U.S. citizen family member. *Id.* ¶ 8. He maintained supportive relationships with
8 other U.S. citizen family members in Ohio, and had found work as a restaurant cook in Tukwila,
9 Washington. *Id.*

10 93. On December 5, 2025, Mr. Hirey attended his master calendar hearing in the
11 Seattle Immigration Court. *Id.* ¶ 3. He turned his phone on silent during proceedings and filed his
12 Form I-589 application for asylum. *Id.* ¶¶ 3, 4. The IJ scheduled him for an individual hearing on
13 April 20, 2029. *Id.* ¶ 4.

14 94. Upon completion of his hearing, Mr. Hirey presented himself for an appointment
15 at the ISAP office, which had been scheduled for the same day. *Id.* ¶ 3. At the office, he realized a
16 notification had arrived while he was attending his immigration court hearing, and submitted a
17 photo once he discovered the alert. *Id.*

18 95. Despite Mr. Hirey's pending asylum application, active participation in his
19 ongoing immigration court case, and consequent delay in submitting a photo through the ISAP
20 application, the officers informed Mr. Hirey that he was being re-detained for the late submission
21 of his photos. *See id.* ¶¶ 3–5. He was re-arrested at the ISAP office in Tukwila and eventually
22 taken to the NWIPC in Tacoma. *See id.* ¶¶ 5, 7.

1 96. Mr. Hirey has no pending charges or criminal convictions, *id.* ¶ 6, but remains
2 detained at the NWIPC, *id.* ¶ 7.

3 97. Prior to Mr. Hirey's re-arrest on December 5, 2025,³ he did not receive written
4 notice of the reason for his re-detention.

5 98. Prior to Mr. Hirey's re-arrest, ICE did not assess whether he presented a flight
6 risk or danger to the community.

7 99. Prior to Mr. Hirey's re-arrest, he was not afforded a hearing before a neutral
8 decisionmaker to determine if his re-detention was justified.

9 **Petitioner Daljeet Kaur**

10 100. Petitioner Daljeet Kaur is a citizen of India who fled political persecution and
11 entered the United States on or around January 23, 2022. Kaur Decl. ¶¶ 1, 3. She was
12 apprehended by immigration officers shortly after crossing the border, *id.* ¶ 1; Ex. Q, issued a
13 Notice to Appear, and released, Kaur Decl. ¶ 1; Ex. R at 5.

14 101. Ms. Kaur moved to California and moved in with her husband, her brother, her
15 brother's wife, and her brother's child. Kaur Decl. ¶ 2. She timely-filed her asylum application,
16 attended court for her immigration case, received a work permit, and found employment working
17

18 ³ Of note, Mr. Hirey was re-detained three days after U.S. President Donald Trump disparaged
19 Somalis and Somali-Americans at a Cabinet meeting, stating "They contribute nothing. I don't
20 want them in this country." *Trump says he doesn't want Somalis in the U.S., urges them to go*
21 *back to their homeland and fix it*, Nat'l Pub. Radio (Dec. 2, 2025, at 11:05 p.m. ET),
22 [https://www.npr.org/2025/12/02/nx-s1-5629305/trump-says-he-doesnt-want-somalis-in-the-u-s-](https://www.npr.org/2025/12/02/nx-s1-5629305/trump-says-he-doesnt-want-somalis-in-the-u-s-urges-them-to-go-back-to-their-homeland-and-fix-it)
23 [urges-them-to-go-back-to-their-homeland-and-fix-it](https://www.npr.org/2025/12/02/nx-s1-5629305/trump-says-he-doesnt-want-somalis-in-the-u-s-urges-them-to-go-back-to-their-homeland-and-fix-it). These remarks were followed by a rise in
federal immigration enforcement operations targeting members of the Somali community. *See*,
e.g., Hamed Aleaziz, Zolan Kanno-Youngs & Ernesto Londoño, *New ICE Operation Is Said to*
Target Somali Migrants in Minneapolis and St. Paul, N.Y. Times (Dec. 2, 2025),
<https://www.nytimes.com/2025/12/02/us/politics/ice-somali-migrants-minneapolis-st-paul.html>.

1 at a gas station in Modesto. *Id.* ¶ 3. After losing her father and a brother in India and fleeing
2 additional persecution, she felt fortunate and safe in the United States. *Id.*

3 102. Although Ms. Kaur experienced initial confusion over how to check in for her
4 first ICE appointment, she was able to attend with the assistance of her lawyer. *Id.* ¶ 4. After
5 going to the ICE office to apologize for her confusion, she was given another date and
6 successfully attended her next appointment. *Id.* She continued returning for in-person check-ins
7 through November 2024, when she was told to submit photo check-ins on her phone instead. *Id.*

8 103. A Punjabi- and Hindi-speaker, *see id.* ¶ 2, Ms. Kaur proceeded to submit photo
9 check-ins to the best of her ability, *id.* ¶¶ 5, 7. The first time she received an alert, she was at
10 work and did her best to upload a photo. *Id.* ¶ 5. Uncertain if she had successfully completed the
11 requirement, she contacted her assigned officer, who assured her it was “perfectly fine.” *Id.* After
12 that, she continued submitting photos when asked about once a month. *Id.* ¶ 6. In February 2025,
13 she notified ICE of an address change and received approval from ICE through a telephonic
14 interpreter. *Id.* After her address change was confirmed, she continued submitting monthly
15 photos as requested through September 2025. *Id.*

16 104. Due to her lack of English fluency, Ms. Kaur constantly worried about ensuring
17 her compliance and “would upload multiple photos and keep submitting them to ICE, just in
18 case.” *Id.* ¶ 7. Whenever she experienced issues with the application, she contacted her officer
19 “to make sure everything was okay.” *Id.* ¶ 8. She never received any warnings that she was out
20 of compliance. *Id.*

21 105. On September 24, 2025, Ms. Kaur received a call from an ICE officer around
22 5:00 P.M. *Id.* ¶ 9. She was instructed to report to the Stockton ICE Office the following day at
23 8:00 A.M., with no other instructions or explanations. *Id.*

1 106. On September 25, 2025, Ms. Kaur timely-presented herself at the ICE office. *Id.*
2 She was informed that she was being re-detained and told that she had violated photo submission
3 requirements. *See id.* Ms. Kaur went into a state of shock, as she “never thought I could be
4 immediately separated from my family and detained for showing up at the office as requested.”
5 *Id.* She was eventually taken to the NWIPC in Tacoma, Washington. *Id.*

6 107. Ms. Kaur has no criminal record in any country. *Id.* ¶ 10. Her case was transferred
7 to the Tacoma Immigration Court and she was forced to proceed with her pending asylum case in
8 detention. *See id.* Despite her deteriorating mental health, Ms. Kaur did her best to prepare and
9 testify in her case under these circumstances. *Id.* At her individual hearing, her applications for
10 relief were denied. *Id.* She has filed an appeal from this decision. *Id.*; Ex. S. She describes
11 feeling “devastated, exhausted, depressed, and completely drained” from the experience of being
12 re-detained and remains detained today. *Id.* ¶ 11.

13 108. Prior to Ms. Kaur’s re-arrest on September 25, 2025, she did not receive written
14 notice of the reason for her re-detention.

15 109. Prior to Ms. Kaur’s re-arrest, ICE did not assess whether she presented a flight
16 risk or danger to the community.

17 110. Prior to Ms. Kaur’s re-arrest, she was not afforded a hearing before a neutral
18 decisionmaker to determine if her re-detention was justified.

19 **Petitioner Marialissa Lopez Ramirez**

20 111. Petitioner Marialissa Lopez Ramirez is a citizen of Colombia who escaped years
21 of forced sex work in her country and entered the United States on or around November 18,
22 2024. Lopez Decl. ¶¶ 1–2; Ex. T. After presenting herself to an officer at the border, she was
23

1 taken into immigration custody for about ten days before released with an ankle monitor on
2 November 28, 2024. Lopez Decl. ¶¶ 2–3.

3 112. Ms. Lopez moved to live with an aunt in Newark, New Jersey. *Id.* ¶ 3. She
4 followed instructions to present herself for ISAP check-ins and appeared as requested. *Id.*

5 113. In mid-January 2025, Ms. Lopez appeared for a check-in appointment. *Id.* ¶ 4. At
6 that appointment, her ankle monitor was removed, she was enrolled on the BI SmartLINK
7 application, and she requested permission to move to Washington State. *Id.* ¶ 4. Once her request
8 was granted a few days later, Ms. Lopez moved to Washington on January 25, 2025. *Id.* As the
9 SmartLINK application provided instructions on how to complete her next check-in in
10 Washington, she followed these instructions “exactly.” *Id.* ¶¶ 4, 6.

11 114. On January 28, 2025, Ms. Lopez presented herself at the office in Tukwila,
12 Washington, as instructed. *Id.* ¶ 5. To her shock and horror, she was re-detained. *Id.* ¶¶ 5–6. The
13 only explanation she was given was that she had a deportation order. *Id.* ¶ 6. She was taken to the
14 NWIPC in Tacoma, Washington, where she has since been held. *Id.* ¶ 8.

15 115. Ms. Lopez has never been arrested for any crimes and has no criminal history in
16 any country. *Id.* ¶ 7; *see also* Ex. U. Since being detained, she has passed a credible fear
17 interview and obtained representation for her immigration case. Lopez Decl. ¶ 9. She has a
18 pending appeal for her immigration court case, has since been approved for Special Immigrant
19 Juvenile (SIJ) classification, and is in the process for applying for deferred action as an SIJ. *Id.*

20 116. Despite requesting medical care at the facility for pain in her vaginal area, Ms.
21 Lopez waited four months before she was seen by a gynecologist. *Id.* ¶ 10. She has yet to receive
22 the results of her exam and has been dealing with additional symptoms of depression in the last
23 four months. *Id.*

1 117. Prior to Ms. Lopez's re-arrest on January 28, 2025, she did not receive written
2 notice of the reason for her re-detention.

3 118. Prior to Ms. Lopez's re-arrest, ICE did not assess whether she presented a flight
4 risk or danger to the community.

5 119. Prior to Ms. Lopez's re-arrest, she was not afforded a hearing before a neutral
6 decisionmaker to determine if her re-detention was justified.

7 **Petitioner Noe Siquina Riscajche**

8 120. Petitioner Noe Siquina Riscajche is a citizen of Guatemala who fled death threats
9 and entered the United States on or around January 18, 2024. Siquina Decl. ¶¶ 1–2. After being
10 apprehended by immigration officers, he was detained for a night and released with a Notice to
11 Appear. *Id.* ¶ 2; Ex. V.

12 121. Mr. Siquina reunited with family members in Oregon and proceeded to comply
13 with the requirements of his release to the best of his ability. Siquina Decl. ¶¶ 2–3. Pursuant to
14 his order of release on his own recognizance, he reported to the Portland ICE Office on April 12,
15 2024; May 23, 2025; October 14, 2025; and November 12, 2025. *Id.* ¶ 3. At this last
16 appointment, he was instructed to next report on July 13, 2026. *Id.*

17 122. In between his check-ins with ICE, Mr. Siquina submitted his asylum application
18 to the Portland Immigration Court. *See id.* ¶ 4. He lived amongst family members in Oregon,
19 including his wife, their child, and his brother-in-law, a U.S. lawful permanent resident. *Id.* ¶ 7.

20 123. On November 22, 2025, Mr. Siquina was a passenger in a car that was stopped by
21 immigration officers on the interstate highway. *Id.* ¶ 5. As English is not Mr. Siquina's first
22 language, he handed the officers a letter from his attorney that he carried around, which
23

1 explained that he had a pending asylum application. *Id.* Despite his requests to call his attorney,
2 the officers refused. *Id.* Mr. Siquina was not told why he was being re-detained. *Id.*

3 124. Although Mr. Siquina has no arrests by police or criminal convictions, he was
4 eventually taken to the immigration detention facility in Tacoma, Washington. *Id.* ¶ 6. He
5 remains detained at the NWIPC. *See id.* His wife and child's asylum applications remain
6 separately pending before the Portland Immigration Court. *Id.* ¶ 7.

7 125. Prior to Mr. Siquina's re-arrest on November 22, 2025, he did not receive written
8 notice of the reason for his re-detention.

9 126. Prior to Mr. Siquina's re-arrest, ICE did not assess whether he presented a flight
10 risk or danger to the community.

11 127. Prior to Mr. Siquina's re-arrest, he was not afforded a hearing before a neutral
12 decisionmaker to determine if his re-detention was justified.

13 LEGAL FRAMEWORK

14 Due Process Principles

15 128. Due process requires that if DHS seeks to re-arrest a person like Mr. Cabrera, Mr.
16 Segura, Ms. Camacho, Ms. Merizema, Ms. Mendez, Mr. Arun, Mr. Hirey, Ms. Kaur, Ms. Lopez,
17 or Mr. Siquina—individuals who were released and given upcoming court dates, have lived in
18 the United States without incident after their initial release, and have otherwise complied with
19 the terms of their release—the government must afford a hearing before a neutral decisionmaker
20 to determine whether any re-detention is justified because the person is a flight risk or danger to
21 the community.

22 129. “Freedom from imprisonment—from government custody, detention, or other
23 forms of physical restraint—lies at the heart of the liberty protected by the Due Process Clause.”

1 *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). As this Court recently recognized, this is the “the
2 most elemental of liberty interests.” *E.A. T.-B.*, 2025 WL 2402130, at *3 (citation modified); *see*
3 *also Ramirez Tesara*, 2025 WL 2637663, at *3 (stating that the petitioner had “an exceptionally
4 strong interest in freedom from physical confinement”).

5 130. Consistent with this principle, individuals released on parole or other forms of
6 conditional release have a liberty interest in their “continued liberty.” *Morrissey v. Brewer*, 408
7 U.S. 471, 482 (1972).

8 131. Such liberty is protected by the Fifth Amendment because, “although
9 indeterminate, [it] includes many of the core values of unqualified liberty,” such as the ability to
10 be gainfully employed and live with family, “and its termination inflicts a ‘grievous loss’ on the
11 [released individual] and often on others.” *Id.*

12 132. To protect against arbitrary re-detention and to ensure the right to liberty, due
13 process requires “adequate procedural protections” that test whether the government’s asserted
14 justification for a noncitizen’s physical confinement “outweighs the individual’s constitutionally
15 protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690 (citation modified).

16 133. Due process thus guarantees notice and an individualized hearing before a neutral
17 decisionmaker to assess danger or flight risk before the revocation of an individual’s release.
18 *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) (“The fundamental requisite of due process of law
19 is the opportunity to be heard . . . at a meaningful time in a meaningful manner.” (citation
20 modified)); *see also, e.g., Morrissey*, 408 U.S. at 485 (requiring “preliminary hearing to
21 determine whether there is probable cause or reasonable ground to believe that the arrested
22 parolee has committed . . . a violation of parole conditions” and that such determination be made
23 “by someone not directly involved in the case” (citation modified)).

1 134. Several courts, including this one, have recognized that these principles apply
2 with respect to the re-detention of the many noncitizens that DHS has arbitrarily begun taking
3 back into custody, often after such persons have been released for months and years.

4 135. For example, in *E.A. T.-B.*, this Court applied the *Mathews v. Eldridge*, 424 U.S.
5 319 (1976), framework to hold that even in a case where the government asserted that mandatory
6 detention initially applied, a person's re-detention could not occur absent a hearing. The Court
7 did the same in *Ramirez Tesara*, *Kumar*, and *Ledesma Gonzalez*. See *Ramirez Tesara*, 2025 WL
8 2637663, at *2–3; *Kumar*, 2025 WL 2677089, at *2–3; *Ledesma Gonzalez*, 2025 WL 2841574,
9 at *7–8.

10 136. In applying the three *Mathews* factors, the *E.A. T.-B.* court held that the petitioner
11 had “undoubtedly [been] deprive[d] . . . of an established interest in his liberty,” 2025 WL
12 2402130, at *3, which, as noted, “is the most elemental of liberty interests,” *id.* (citation
13 modified). The Court further explained that even if detention was mandatory, the risk of
14 erroneous deprivation of liberty without a hearing was high because a hearing serves to ensure
15 that the purposes of detention—the prevention of danger and flight risk—are properly served. *Id.*
16 at *4–5. Finally, the Court explained that “the Government’s interest in re-detaining non-citizens
17 previously released without a hearing is low: although it would have required the expenditure of
18 finite resources (money and time) to provide Petitioner notice and hearing on [ISAP] violations
19 before arresting and re-detaining him, those costs are far outweighed by the risk of erroneous
20 deprivation of the liberty interest at issue.” *Id.* at *5. As a result, this Court ordered the
21 petitioner’s immediate release. *Id.* at *6.

22 137. This Court applied a similar analysis in *Ramirez Tesara*. There, the Court
23 reasoned that the petitioner had a “weighty” interest in his liberty and was entitled to the “full

1 protections of the due process clause.” 2025 WL 2637663, at *3. When examining the value of
2 additional safeguards, the Court also noted that despite the government’s allegations of ISAP
3 violations, “the fact ‘that the Government may believe it has a valid reason to detain Petitioner
4 does not eliminate its obligation to effectuate the detention in a manner that comports with due
5 process.’” *Id.* at *4 (quoting *E.A. T.-B.*, 2025 WL 2402130, at *4). Finally, the Court reasoned
6 that any government interest in re-detention without a hearing was “minimal.” *Id.* Accordingly,
7 there too, the Court ordered the petitioner’s immediate release. *Id.* at *5.

8 138. The *Kumar* and *Ledesma Gonzalez* courts reached the same decision, again
9 holding that all three factors weighed in favor of affording the petitioner a bond hearing. 2025
10 WL 2677089, at *3–4; 2025 WL 2841574, at *7–9; *see also* Report & Recommendation, *Lopez*
11 *Reyes*, No. 2:25-cv-01868-JLR-MLP (W.D. Wash. Oct. 15, 2025), Dkt. 13 (same).

12 139. This Court’s decisions in *E.A. T.-B.*, *Ramirez Tesara*, *Kumar*, and *Ledesma*
13 *Gonzalez* are consistent with many other district court decisions addressing similar situations.
14 *See, e.g., Valdez v. Joyce*, No. 25 CIV. 4627 (GBD), 2025 WL 1707737 (S.D.N.Y. June 18,
15 2025) (ordering immediate release due to lack of pre-deprivation hearing); *Garro Pinchi v.*
16 *Noem*, --- F. Supp. 3d ---, No. 5:25-CV-05632-PCP, 2025 WL 2084921 (N.D. Cal. July 24,
17 2025) (similar); *Maklad v. Murray*, No. 1:25-CV-00946 JLT SAB, 2025 WL 2299376 (E.D. Cal.
18 Aug. 8, 2025) (similar); *Garcia v. Andrews*, No. 1:25-CV-01006 JLT SAB, 2025 WL 2420068
19 (E.D. Cal. Aug. 21, 2025) (similar).

20 140. The same framework and principles apply here and compel the immediate release
21 of all ten Petitioners.
22
23

CLAIM FOR RELIEF
Violation of Fifth Amendment Right to Due Process
Procedural Due Process

141. Petitioners restate and reallege all the prior paragraphs as if fully set forth herein.

142. Due process does not permit the government to re-detain Petitioners and strip them of their liberty without written notice and a pre-deprivation hearing before a neutral decisionmaker to determine whether re-detention is warranted based on danger or flight risk. *See Morrissey*, 408 U.S. at 487–88. Such written notice and a hearing must occur *prior* to any re-detention.

143. Respondents revoked Petitioners' releases and deprived them of liberty without providing written notice and a meaningful opportunity to be heard by a neutral decisionmaker prior to their re-detention.

144. Accordingly, Petitioners' re-detention violates the Due Process Clause of the Fifth Amendment.

PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully request that this Court:

(1) Assume jurisdiction over this matter;

(2) Issue an Order to Show Cause requiring Respondents to show cause within fourteen days of this Petition's filing as to why this Petition should not be granted as required by 28 U.S.C. § 2243, and permitting Petitioners to file a traverse within five days of Respondents' return;

(3) Issue an Order that prohibits Respondents from transferring Petitioners out of this district during the pendency of the court's adjudication of this petition, or,

1 alternatively, provides Petitioners and their habeas counsel with advance notice of
2 any transfer or removal;

3 (4) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioners from
4 custody immediately and permanently enjoining their re-detention during the
5 pendency of their removal proceeding absent written notice and a hearing prior to re-
6 detention where Respondents must prove by clear and convincing evidence that each
7 Petitioner is a flight risk or danger to the community and that no alternatives to
8 detention would mitigate those risks;

9 (5) Order that upon Petitioners' release, Respondents must return to Petitioners any
10 personal property, including personal identification documents (other than a passport)
11 and employment authorization documents;

12 (6) Declare that the re-detention of Petitioners while removal proceedings are ongoing
13 without first providing an individualized determination before a neutral
14 decisionmaker violates the Due Process Clause of the Fifth Amendment;

15 (7) Award Petitioners attorney's fees and costs under the Equal Access to Justice Act,
16 and on any other basis justified under law; and

17 (8) Grant any further relief this Court deems just and proper.

18 Respectfully submitted this 11th day of December, 2025.

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