

District Judge Tana Lin

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

LUIS SANCHEZ-ALFONSO,

Petitioner,

v.

PAMELA BONDI¹, *et al.*,

Respondents.

Case No. 2:25-cv-02748-TL

FEDERAL RESPONDENTS²
RESPONSE TO PETITIONER'S MOTION
FOR TEMPORARY RESTRAINING
ORDER

Noted for Consideration:
January 8, 2026

This Court should deny Petitioner's request for a temporary restraining order ("TRO") for immediate release from ICE detention. Dkt. No. 11, Mot. The TRO motion asserts the same claim raised in his habeas petition that his re-detention is unlawful and violates due process. *Compare* Pet., at 4-7 *with* Motion. In fact, Petitioner requests that this Court grant him ultimate habeas relief—release from custody—while using the severely shortened briefing schedule for a TRO motion to functionally foreclose Federal Respondents' ability to meaningfully investigate and respond to his claims. *See Guy v. Tanner*, No. 13-cv-6750, 2014 WL 2818684, at *3 (E.D. La.

¹ Pursuant to Fed. R. Civ. P. 25(d), Federal Respondents substitute Acting Seattle Field Office Director, Enforcement and Removal Operations, Immigration and Customs Enforcement Laura Hermosillo for Camilla Wamsley.

² Respondent Bruce Scott is not a Federal Respondent and is not represented by the U.S. Attorney's Office.

1 June 23, 2014) (“[petitioner’s] motion [for TRO] is no more than a veiled attempt to expedite the
2 resolution of his habeas petition”).

3 This Court’s briefing schedule addresses the need for expedited briefing and the prompt
4 adjudication of this habeas matter. This District recently issued General Order No. 05-25 for the
5 purposes of facilitating prompt adjudication of habeas petitions. Accordingly, this Court has set a
6 scheduling order whereby Federal Respondents must respond to the habeas petition by January 14,
7 2026. Dkt. No. 9, Scheduling Order. The briefing and adjudication of the habeas petition in the
8 ordinary course are the appropriate mechanism for resolving the legal issues presented in the TRO
9 Motion.

10 This Court should also deny Petitioner’s request for a TRO because he fails to establish
11 any threat of imminent, irreparable harm, as required for mandatory preliminary injunctive relief.
12 To do so, he must demonstrate “immediate threatened injury.” *Caribbean Marine Services Co.,*
13 *Inc. v. Baldrige*, 844 F.2d 668, 674 (9th Cir. 1988) (citing *Los Angeles Memorial Coliseum*
14 *Commission v. National Football League*, 634 F.2d 1197, 1201 (9th Cir.1980)). Petitioner asserts
15 that he is being “irreparably harmed by this unconstitutional civil detention.” TRO Mot., at 7.

16 Nothing distinguishes Petitioner from any other person in immigration detention who
17 challenges their arrest and detention. See *Tuha v. Bostock*, No. C25-649-RSM, 2025 WL 1126681,
18 at *3 (W.D. Wash. Apr. 16, 2025) (“The Court agrees with Defendants that Petitioner’s
19 ‘irreparable harm-based argument begs the constitutional questions presented in his petition by
20 assuming that [P]etitioner has suffered constitutional injury[,]’ and his emotional harm from this
21 ‘loss of liberty’ is ‘common to all’ like Petitioner.”); *Leiva-Perez v. Holder*, 640 F.3d 962, 969
22 (9th Cir. 2011) (“[A] noncitizen must show that there is a reason specific to his or her case, as
23 opposed to a reason that would apply equally well to all aliens and all cases, that removal would
24 inflict irreparable harm[.]”).

1 Accordingly, this Court should deny the TRO Motion and require Petitioner to abide by
2 the pending scheduling order.

3 DATED this 9th day of January, 2026.

4
5 Respectfully submitted,

6 CHARLES NEIL FLOYD
United States Attorney

7 /s/ Michelle R. Lambert
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13 *Attorneys for Federal Respondents*

14 *I certify that this memorandum contains 434 words,*
15 *in compliance with the Local Civil Rules.*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the Western District of Washington and of such age and discretion as to be competent to serve papers.

I further certify on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following CM/ECF participant(s):

-0 -

I further certify on this date, I arranged for service of the foregoing on the following non-CM/ECF participant(s), via Certified Mail with return receipt, postage prepaid, addressed as follows:

Luis Sanchez-Alfonso, *Pro Se* Petitioner
A#: [REDACTED]
NW Detention Center
1623 E. J Street, [REDACTED]
Tacoma, WA 98421-1615

DATED this 9th day of January, 2026.

s/ Stephanie Huerta-Ramirez
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