

1 UNITED STATES DISTRICT COURT
2 WESTERN DISTRICT OF WASHINGTON
3 SEATTLE DIVISION

4 HONORIO DE JESUS MARTINEZ,
5 Petitioner,

Case No. 2:26-cv-00089

6 v.

7 KRISTI NOEM, *et al.*,
8 Respondents.

**PETITIONER'S TRAVERSE AND
REPLY IN SUPPORT OF PETITION
FOR WRIT OF
HABEAS CORPUS UNDER 28 U.S.C. §
2241**

**Noted for Consideration: January 28,
2026**

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1 Respondents offer no meaningful response to Petitioners' petition for a writ of habeas corpus.
 2 Federal Respondents acknowledge that in *Rodriguez Vazquez v. Bostock*, this Court granted
 3 summary judgment and found that detention pursuant to 8 U.S.C. § 1225(b)(2) of the Bond
 4 Denial Class is unlawful. *Rodriguez Vazquez v. Bostock*, No. 3:25-cv-05240-TMC, 2025 WL
 5 2782499 (W.D. Wash. Sept. 30, 2025). Additionally, they acknowledge, in *Maldonado Bautista*
 6 *v. Santacruz*, the district court found the same and extended declaratory relief to a similarly
 7 defined and certified nationwide Bond Eligible Class. And as the Respondents acknowledge, the
 8 Petitioner is a member of **both** the class certified in *Rodriguez Vasquez* by virtue of being
 9 detained in the Northwest Detention Center and also of *Maldonado Bautista* for being: a
 10 noncitizen in the United States without lawful status who (1) have entered or will enter the
 11 United States without inspection; (2) were not or will not be apprehended upon arrival; and (3)
 12 are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at
 13 the time the Department of Homeland Security makes an initial custody determination.”
 14 *Rodriguez*, 2025 WL 2782499, at *6, *Maldonado Bautista*, 2025 WL 3288403, at *1.

15 In either class, he is eligible for a bond hearing pursuant to 8 U.S.C. §1226(a). He has not had a
 16 bond hearing before the EOIR.

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 18 Thus, the Court should accordingly grant the habeas petition “forthwith.” 28 U.S.C. § 2241.
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20 DATED this 23rd of January 2026.

21 /s/ Courtney A. Carter
 22 Courtney A. Carter
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