CLAYTON COOK-MOWERY, WSBA #41110
QUIROGA LAW OFFICE, PLLC
505 N. Argonne Rd., Suite B-109
Spokane Valley, WA 99212
Telephone: (509) 927-3840
Fax: (509) 210-4607
Clay@quirogalawoffice.com
Attorney for Petitioner

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

VICTOR GOMEZ-VALDOVINOS,[1] (A[redacted]) ***Petitioner,*** v. **BRUCE SCOTT,** WARDEN OF NORTHWEST ICE PROCESSING CENTER, in his official capacity; **LAURA HERMOSILLO,** SEATTLE FIELD OFFICE ACTING DIRECTOR, ENFORCEMENT AND REMOVAL OPERATIONS, ICE, in her official capacity; **MARKWAYNE MULLIN,** SECRETARY, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, in his official capacity; **DAVID VENTURELLA,** ACTING DIRECTOR, IMMIGRATION AND CUSTOMS ENFORCEMENT, in his official capacity; and **TODD BLANCHE,** ACTING ATTORNEY GENERAL, UNITED STATES DEPARTMENT OF JUSTICE, in his official capacity; ***Respondents.***	**CIVIL ACTION NO.:** **PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. SECTION 2241 AND REQUEST FOR INJUNCTIVE RELIEF**

[1] Petitioner is currently detained.

PETITION FOR WRIT OF HABEAS CORPUS TO 28 U.S.C. SECTION 2241 AND REQUEST FOR INJUNCTIVE RELIEF

INTRODUCTION

1. COMES NOW, Petitioner, Victor Gomez-Valdovinos, by and through undersigned counsel, and hereby files this Petition for Writ of Habeas Corpus and Request for Injunctive Relief. In support of his petition, Mr. Gomez-Valdovinos alleges as follows:

JURISDICTION

I. STATUTORY JURISDICTION UNDER 28 U.S.C. § 2241

2. This action arises under the Constitution of the United States and the Immigration and Nationality Act ("INA"). *See* 8 U.S.C. §§ 1101 *et seq.* This Court has jurisdiction pursuant to 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331 (federal question jurisdiction) as well as jurisdiction pursuant to Article I, § 9, cl. 2 of the United States Constitution (Suspension Clause). Federal district courts have jurisdiction to hear habeas corpus claims by noncitizens challenging the lawfulness or constitutionality of U.S. Department of Homeland Security's ("DHS") actions surrounding detention and removal. *Jennings v. Rodriguez*, 583 U.S. 281, 294-95 (2018); *Demore v. Kim*, 538 U.S. 510, 516-17 (2003); *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001). *See also Trump v. J.G.G.*, 604 U.S. 670, 672 (2025) (clarifying that an immigration detainee's challenge to "their confinement and removal . . . fall within the 'core' of the writ of habeas corpus") (per curium).

II. JURISDICTION PRESERVED BY THE CONSTITUTION AND THE SUSPENSION CLAUSE

3. This Court maintains jurisdiction to review Petitioner's request to stay his removal because it arises on independent, constitutional grounds, and does not challenge Petitioner's order of

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505 N. Argonne Road, Suite B-109
Spokane, WA 99212
(509)-927-3840

removal itself. *See e.g., Puri v. Gonzales,* 464 F.3d 1038, 1041 (9th Cir.2006) (holding that "the REAL ID Act's jurisdiction-stripping provisions ... does [sic] not apply [if the] claim is not a direct challenge to an order of removal"). "By virtue of their explicit language, both §§ 1252(a)(5) and 1252(b)(9) apply only to those claims seeking judicial review of orders of removal." *Singh v. Gonzales*, 499 F.3d 969, 978 (9th Cir. 2007). *See, e.g., Poghosyan v. Wolf,* 5:20-cv-2295, 2020 WL 7347858, at *2 (C.D. Cal. Nov. 6, 2020) (noting that the REAL ID Act's "jurisdiction-stripping provisions apply to direct challenges to an order of removal or where the grounds underlying the habeas petition are 'wholly intertwined' with the merits of the removal order." (quoting *Singh v. Holder*, 638 F.3d 1196, 1211 (9th Cir. 2011))).

4. Here, Mr. Gomez-Valdovinos' Habeas Petition and related requests are based on a due process right to be heard on his pending his motion to reopen to apply for asylum and withholding of removal based on changed country conditions as outlined under 8 U.S.C. § 1229a(c)(7)(A). Since Mr. Gomez-Valdovinos' request arises independent of his removal order, jurisdiction remains with this Court. *See Singh*, 499 F.3d at 977–79; *Singh*, 638 F.3d at 1211 ("[T]he REAL ID Act was not intended to preclude habeas review over challenges to detention that are independent of challenges to removal orders." (quoting H.R. Rep. No. 109-72, at 175)).

III. ADMINISTRATIVE EXHAUSTION NOT REQUIRED

5. Neither the habeas statute, 8 U.S.C. § 2241, nor the relevant statutory provisions of the INA require petitioners to exhaust administrative remedies before filing petitions for habeas corpus. *Castro-Cortez v. INS*, 239 F.3d 1037, 1047 (9th Cir. 2001). While the INA provides, "[a] court may review a final order of removal only if—the [noncitizen] has exhausted all

administrative remedies available to the [noncitizen] as of right," such requirement is inapplicable where the movant is not seeking review of an underlying removal order. *See, e.g., Curva v. U.S. Citizenship & Immigration Servs.*, No. CV 09-06086, 2010 WL 11530932, at *3 (C.D. Cal. Jan. 11, 2010). (citations omitted).

6. As to prudential exhaustion, courts may waive the requirement if "administrative remedies are inadequate or not efficacious, pursuit of administrative remedies would be a futile gesture, irreparable injury will result, or the administrative proceedings would be void." *SEC v. G.C. George Sec., Inc.*, 637 F.2d 685, 688 (9th Cir. 1981); *see also Laing v. Ashcroft*, 370 F.3d 994, 1000 (9th Cir. 2004) (affirming the Court's ability to waive prudential exhaustion). Any prudential exhaustion requirement in the instant matter would cause irreparable harm. Mr. Gomez-Valdovinos risks imminent removal to Mexico—[redacted] and the country that serves as the basis of Mr. Gomez-Valdovinos' asylum claim.

7. Furthermore, if Mr. Gomez-Valdovinos is removed to Mexico, it would become near impossible for him to litigate his motion to reopen, effectively depriving him of any due process. "It is well established that the deprivation of constitutional rights 'unquestionably constitutes irreparable injury.'" *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976)). And where, as here, the "alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary." *Warsoldier v. Woodford*, 418 F.3d 989, 1001–02 (9th Cir. 2005) (quotation omitted).

VENUE

8. Venue is proper in this District, pursuant to 28 U.S.C. § 2241(c)(3) and 28 U.S.C. § 1391(b)(2), (e)(1), because Petitioner is detained within this District at the Northwest ICE Processing Center ("NWIPC) in Washington.

PARTIES

9. Petitioner Victor Gomez Gomez-Valdovinos is a native and citizen of Mexico who first entered the United States in 2000 and again in June 2002. He is currently detained at the NWIPC.

10. Respondent Bruce Scott is the Warden of the Tacoma, Washington NWIPC located in this District. Mr. Scott is Mr. Gomez-Valdovinos' custodian and is responsible for Mr. Gomez-Valdovinos' detention and removal. Respondent is sued in his official capacity.

11. Respondent Laura Hermosillo is the Acting Director of the Seattle Field Office Enforcement and Removal Operations of ICE. As such, Ms. Hermosillo is Mr. Gomez-Valdovinos' immediate custodian responsible for his detention at NWIPC and, more importantly, is the person with the authority to execute Mr. Gomez-Valdovinos' removal. She is named in her official capacity.

12. Respondent David Venturella is the Acting Director of ICE. As the Senior Official Performing the Duties of the Director of ICE, he is responsible for the administration and enforcement of the immigration laws of the United States; routinely transacts business in this District; and is legally responsible for pursuing any effort to detain and remove Mr. Gomez-Valdovinos. Respondent Venturella is sued in his official capacity.

13. Respondent Markwayne Mullin is the Secretary of Homeland Security. Respondent Mullin has ultimate authority over DHS. In that capacity and through his agents, Respondent Mullin has broad authority over and responsibility for the operation and enforcement of the immigration laws; routinely transacts business in this District; and is legally responsible for Mr. Gomez-Valdovinos' current detention and imminent removal. Respondent Mullin is sued in his official capacity.

14. Respondent Todd Blanche is the Acting Attorney General of the United States and the successor to former Attorney General Bondi. He is the most senior official at the Department of Justice. In that capacity and through his agents, he is responsible for overseeing the implementation and enforcement of the federal immigration laws. The Attorney General delegates this responsibility to the Executive Office for Immigration Review, which administers the immigration courts and the BIA. Respondent Blanche is sued in her official capacity.

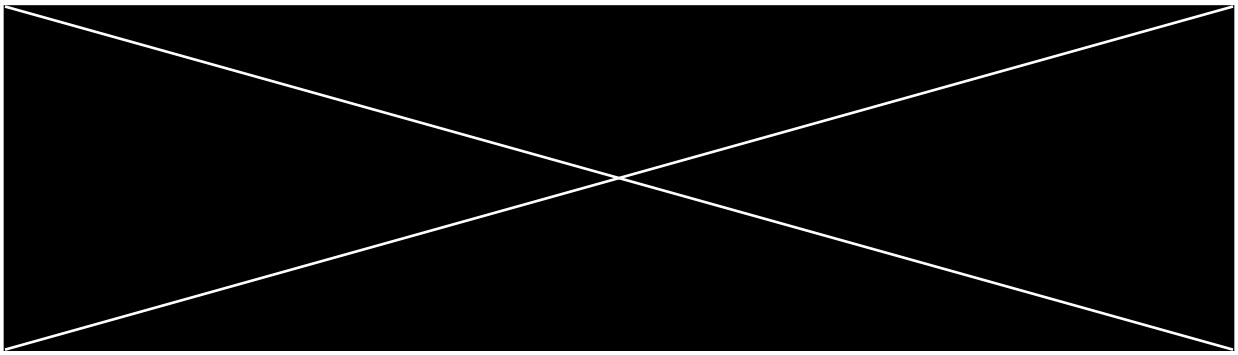
FACTUAL AND PROCEDURAL HISTORY

15. Mr. Gomez-Valdovinos is a citizen and native of Mexico. *See* Ex. A (Mr. Gomez-Valdovinos Decl.). In 2000, Mr. Gomez-Valdovinos entered the United States without inspection. *Id.* Upon entry, Mr. Gomez-Valdovinos was apprehended by the DHS. He was then placed in removal proceedings and served with a Notice to Appear before the Tacoma Immigration Court.

16. On May 30, 2002, Mr. Gomez-Valdovinos attended a master calendar hearing and was ordered removed. He did not submit anything in his defense because he did not have an attorney at that time. *Id.*

17. Later that same year, in June 2002, Mr. Gomez-Valdovinos re-entered the United States with the assistance of a smuggler, crossing through the Altar desert near Agua Prieta. *Id.* He has

not left the United States since then. *Id.*



Id.

19. Following the escalation of violence against his family, Mr. Gomez-Valdovinos sought legal assistance for his immigration status. *Id.* Mr. Gomez-Valdovinos ultimately obtained representation through Attorney Alexandra Lozano. *Id.* Attorney Lozano immediately filed a Form I-914, Application for T Nonimmigrant Status, on behalf of Mr. Gomez-Valdovinos. *Id.* No other advice was given, and no other form of relief was explored. *Id.* As such, Mr. Gomez-Valdovinos relied on former counsel's legal advice that a T visa was his only available form of immigration relief. Based on that advice, Respondent focused exclusively on pursuing a T visa. *Id.*

20. In late May 2026, while attending a biometrics appointment for his T visa, immigration authorities detained Mr. Gomez-Valdovinos. On May 28, 2026, Mr. Gomez-Valdovinos' spouse went to the offices of Quiroga Law Office, PLLC, and explained what had happened. It was only after consulting with Quiroga Law Office, PLLC, that Mr. Gomez-Valdovinos learned he may be eligible for asylum. Ex. A.

21. Upon becoming aware of this option, he began the process of filing his asylum application. In addition to preparing the asylum application, undersigned counsel's firm is simultaneously

submitting a motion to reopen Mr. Gomez-Valdovinos' proceedings to pursue asylum, along with an emergency motion to stay Mr. Gomez-Valdovinos' removal. [2]

22. Because Mr. Gomez-Valdovinos' removal proceedings occurred in 2002, his immigration proceedings are contained in a paper file, rather than an electronic one. As such, Mr. Gomez-Valdovinos' counsel can only submit the asylum application, motion to reopen, and emergency motion to stay via U.S. mail.

23. Mr. Gomez-Valdovinos currently remains detained at NWIPC and, absent intervention by this Court, risks imminent removal before his motions even arrive at the immigration court, let alone before the motions are adjudicated. Accordingly, Mr. Gomez-Valdovinos' Petition for Writ of Habeas Corpus and Request for Injunctive Relief is necessary.

LEGAL FRAMEWORK

I. REMOVAL PROCEEDINGS MUST ADHERE TO THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION

24. "Writs of habeas corpus may be granted by ... the district courts ... within their respective jurisdictions." 28 U.S.C. § 2241(a). A habeas petitioner must prove "by the preponderance of the evidence that he is entitled to habeas relief." *Davis v. Woodford*, 384 F.3d 628, 638 (9th Cir. 2004); 28 U.S.C. § 2241(c).

25. "'It is well established that the Fifth Amendment entitles [noncitizens] to due process of

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[2] Mr. Valdovinos is also pursuing a motion to reopen *sua sponte* based on the ineffective assistance of counsel he received from Attorney Lozano. *See Sanchez et al v. Kennedy et al*, No. 2:26-cv-01587 (W.D. Wash. May 11, 2026); *see also* Nina Shapiro, *WA immigration lawyer Alexandra Lozano, facing discipline, resigns*, Seattle Times (May 26, 2026), https://www.seattletimes.com/seattle-news/wa-immigration-lawyer-alexandra-lozano-facing-discipline-gives-up-license/ (last visited June 2, 2026).

law in deportation proceedings.'" *Demore*, 538 U.S. at 523 (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty [the Due Process] Clause protects." *Zadvydas*, 533 U.S. at 690.

II. NONCITIZENS HAVE A STATUTORY RIGHT TO PURSUE A MOTION TO REOPEN BASED ON CHANGED COUNTRY CONDITIONS

26. The INA permits noncitizens "ordered to leave the country [] a statutory right to file a motion to reopen his removal proceedings." *Mata v. Lynch*, 576 U.S. 143, 145 (2015) (citing 8 U.S.C. § 1229a(c)(7)(A)). "Where, as here, the [noncitizen] seeking asylum or withholding of removal based on changed country conditions, there is no time limit for filing the [noncitizen]'s one statutory motion to reopen." *Sied v. Nielsen*, No. 17-CV-06785-LB, 2018 WL 1142202, at *7 (N.D. Cal. Mar. 2, 2018) (citing 8 U.S.C. § 1229a(c)(7)(C)(ii)). "The motion to reopen shall state the new facts that will be proven at a hearing to be held if the motion is granted, and shall be supported by affidavits or other evidentiary material." 8 U.S.C. § 1229a(c)(7). *See also* 8 C.F.R. § 1003.23(b)(3).

27. A noncitizen's statutory right to request reopening of his proceedings is "an 'important safeguard' intended 'to ensure a proper and lawful disposition' of immigration proceedings." *Kucana v. Holder*, 558 U.S. 233, 242 (2010) (quoting *Dada v. Mukasey*, 554 U.S. 1, 18, 128 S.Ct. 2307, 171 L.Ed.2d 178 (2008)). Particularly because a granted motion to reopen places the noncitizen in a position "as if [the removal order] never occurred." *Bonilla v. Lynch*, 840 F.3d 575, 589 (9th Cir. 2016) (citing *Nken v. Holder*, 556 U.S. 418, 429 n.1 (2009)).

III. THREAT OF REMOVAL EXISTS WITH A PENDING MOTION TO REOPEN

28. The government is not prohibited from removing a noncitizen while the noncitizen exercises their statutory right to reopen proceedings. 8 C.F.R. § 1003.2(f), 1003.23(b)(4)(i). The noncitizen must instead make such a request. *See generally* U.S. Dep't of Justice, Immig. Ct. Pract. Manual, Discretionary Stays, § 7.3(b) (Nov. 2, 2017), *available at* https://www.justice.gov/eoir/policy-manual-eoir/part-II/icpm/chapter-7-3 (last visited June 2, 2026). Critically, such a motion is considered "discretionary," and "[t]he mere filing of a motion for a discretionary stay of an order does not prevent the execution of the order." *Id.* at § (c). Consequently, "[t]his leads to scenarios where [a noncitizen] can be deported before his motion to reopen is heard and decided, including [] the time before the IJ rules on a stay motion." *Sied*, 2018 WL 1142202, at *7.

29. As such, only "[i]f the IJ grants a motion to stay removal, the [noncitizen] will not be deported while the IJ considers the motion to reopen." *Sied*, 2018 WL 1142202, at *7 (citing 8 C.F.R. § 1003.23(b)(4)(i)). "But there is no procedure or automatic mechanism to prevent the government from deporting the [noncitizen] before the IJ decides the stay motion." *Sied*, 2018 WL 1142202, at *7. Likewise, there is no procedure for preventing removal while the emergency stay motion is mailed to the immigration court. *See* U.S. Dep't of Justice, Immig. Ct. Pract. Manual, Discretionary Stays, § 7.3(b)-(c).

CAUSES OF ACTION

COUNT I:
VIOLATION OF MR. GOMEZ-VALDOVINOS' RIGHT TO DUE PROCESS UNDER THE FIFTH AMENDMENT TO THE U.S. CONSTITUTION

30. The Petitioner re-alleges and incorporates by reference the paragraphs above.

31. "[T]he Due Process Clause applies to all persons within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas*, 533 U.S. at 697. And the government's authority to make rules for "admission" that regulate the immigration status of noncitizens does not affect this constitutional protection. *See* 8 U.S.C. § 1101(a)(13)(A) (defining admission).

32. As outlined herein, the INA permits noncitizens "ordered to leave the country [] a statutory right to file a motion to reopen his removal proceedings." *Mata*, 576 U.S. at 145 (citing 8 U.S.C. § 1229a(c)(7)(A)). And "[w]here, as here, the [noncitizen] seeking asylum or withholding of removal based on changed country conditions, there is no time limit for filing the [noncitizen]'s one statutory motion to reopen." *Sied*, 2018 WL 1142202, at *7 (citing 8 U.S.C. § 1229a(c)(7)(C)(ii)).

33. However, DOJ has no procedure or protection in place to ensure noncitizens like Mr. Gomez-Valdovinos are not removed while their statutorily authorized motion to reopen is reviewed. *See generally* U.S. Dep't of Justice, Immig. Ct. Pract. Manual, Discretionary Stays, § 7.3(b)-(c).

34. Consequently, if Mr. Gomez-Valdovinos is removed from the United States while his motion to reopen is pending, he will be deprived of his constitutional right "to be heard.'" *A. A. R.*

P., 605 U.S. at 94) (quotations omitted). *See Oshodi*, 729 F.3d at 889.

35. The Fifth Amendment provides that "[n]o person shall be ... deprived of life, liberty, or property, without due process of law." U.S. Const. amend. V. The Due Process Clause applies to all persons in the United States regardless of citizenship status. *Zadvydas*, 533 U.S. at 693.

36. The Ninth Circuit applies the *Mathews* balancing test in immigration detention contexts. *Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1206-07 (9th Cir. 2022). In *Mathews v. Eldridge,* the Supreme Court instructed courts to balance three factors to determine whether procedural due process is satisfied:

> First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.

See 424 U.S. 319, 335 (1976).

37. The first factor, the private interest at issue, favors Petitioner. 424 U.S. at 333. As outlined herein, the INA permits noncitizens "ordered to leave the country [] a statutory right to file a motion to reopen his removal proceedings." *Mata*, 576 U.S. at 145 (citing 8 U.S.C. § 1229a(c)(7)(A)). And "[w]here, as here, the [noncitizen] seeking asylum or withholding of removal based on changed country conditions, there is no time limit for filing the [noncitizen]'s one statutory motion to reopen." *Sied*, 2018 WL 1142202, at *7 (citing 8 U.S.C. § 1229a(c)(7)(C)(ii)). However, DOJ has no procedure or protection in place to ensure noncitizens like Mr. Gomez-Valdovinos are not removed while their statutorily authorized motion to reopen is reviewed. *See generally* U.S. Dep't of Justice, Immig. Ct. Pract. Manual, Discretionary Stays, §

7.3(b)-(c).

38. Consequently, if Mr. Gomez-Valdovinos is removed from the United States while his motion to reopen is pending, he will be deprived of his constitutional right "to be heard." *A. A. R. P.*, 605 U.S. at 94) (quotations omitted). *See Oshodi*, 729 F.3d at 889. The first *Mathews* factor therefore favors Mr. Gomez-Valdovinos.

39. The second factor, the risk of erroneous deprivation of liberty and the probable value of procedural safeguards, favors Petitioner. Because DOJ has no procedure or protection in place to ensure noncitizens like Mr. Gomez-Valdovinos are not removed while their statutorily authorized motion to reopen is reviewed, Mr. Gomez-Valdovinos' constitutional rights are in grave danger. *See generally* U.S. Dep't of Justice, Immig. Ct. Pract. Manual, Discretionary Stays, § 7.3(b)-(c). Thus, requiring Respondents to keep Mr. Gomez-Valdovinos within the boundaries of the United States until his motion to reopen is adjudicated would ensure Respondents' do not violate Mr. Gomez-Valdovinos' constitutional rights. The second *Mathews* factor therefore favors Petitioner.

40. The third factor, the government's interest, also favors Mr. Gomez-Valdovinos. While the government has a legitimate interest in enforcing immigration laws, courts in this District have recognized that the government's interest in imposing or maintaining liberty restraints without procedural safeguards is minimal when compared to the substantial liberty interests at stake. *See E.A. T.-B.*, 795 F. Supp. 3d at 1324. At most, the government's burden is fiscal, which is minimal when compared against Mr. Gomez-Valdovinos' constitutional rights. *See, e.g.*, *Sied*, 2018 WL 1142202, at *27.

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
(509)-927-3840

41. For these reasons, staying Mr. Gomez-Valdovinos' removal pending his motion to reopen would ensure due process is achieved.

COUNT II
INJUNCTIVE RELIEF

42. The Petitioner re-alleges and incorporates by reference the paragraphs above.

43. To obtain a permanent injunction, the movant must meet a four-factor test. The four factors include: (1) that the movant has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the movant and nonmovant, a remedy in equity is warranted; and (4) that a permanent injunction would not undermine the public interest. *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388, 391 (2006).

44. Absent immediate intervention by this Court, Petitioner faces imminent and irreparable harm in the form of due process violations and potential removal without notice and opportunity to be heard on his application for asylum. The harm Petitioner faces is not speculative; it is concrete and irreparable, as Petitioner has already been moved into NWIPC and has a removal order. As such, he has a limited number of days left before removal.

45. Moreover, because Petitioner's counsel must physically mail in his motion and emergency motion to stay, Petitioner faces an additional amount delay before the immigration court will review his motions. Simultaneous with this complaint, Petitioner is submitting his motion to reopen and emergency motion for a stay of removal to the Tacoma, Washington Immigration Court via U.S. mail.

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
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46. No monetary amount can compensate for the harm Mr. Gomez-Valdovinos would endure if removed to Mexico—the country he is filing a motion to reopen to apply for asylum from. Further, "[t]he balance of hardships favors [Mr. Gomez-Valdovinos], as the injunction requires only that Respondents comply with the Constitution" and allow Mr. Gomez-Valdovinos to pursue an application permitted under the INA. *Jimenez Carrion v. Hermosillo*, No. 2:26-CV-00694, 2026 WL 850753, at *4 (W.D. Wash. Mar. 27, 2026). *See, e.g.*, *Wana v. Bondi*, No. 25-cv-2321, 2025 WL 3628634, at *6 (W.D. Wash. Dec. 15, 2025).

47. Finally, "the public interest is" of course, "served by an order prohibiting Respondents from violating the Due Process Clause." *Jimenez Carrion*, 2026 WL 850753, at *4.

RELIEF REQUESTED

WHEREFORE, Mr. Gomez-Valdovinos respectfully requests judgment against Respondents and requests the following relief:

1. Assume jurisdiction over this matter;

2. HABEAS CORPUS. Issue a writ of habeas corpus under 28 U.S.C. § 2241 directing the government to provide Mr. Gomez-Valdovinos with the opportunity to adjudicate his statutorily permitted motion to reopen from within the boundaries of the United States.

3. INJUNCTIVE RELIEF. Pursuant to the Court's equitable powers, Fed. R. Civ. P. 65, and the All Writs Act, 28 U.S.C. § 1651:

   a. Enjoin Respondents, their agents, employees, and all persons acting in concert with them from transferring Mr. Gomez-Valdovinos outside this Court's jurisdiction

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
(509)-927-3840

pending adjudication of Mr. Gomez-Valdovinos' motion to reopen based on changed circumstances;

b. Enjoin Respondents, their agents, employees, and all persons acting in concert with them from removing Mr. Gomez-Valdovinos from the United States without notice and opportunity to be heard before a neutral arbitrator on the contents of his motion to reopen removal proceedings, in accordance with the INA, its implementing regulations, and the US Constitution; and

c. An order retaining jurisdiction to monitor and enforce compliance with the foregoing injunctions.

4. FEES AND COSTS. Award Petitioner his reasonable attorneys' fees and litigation expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412, and any other applicable authority.

5. SUCH OTHER RELIEF. Grant such further legal or equitable relief as the Court deems just and proper.

6. Grant such further relief as the Court deems just, equitable, and proper.

Dated: June 2, 2026

Respectfully Submitted,

/s/ Clayton Cook-Mowery
Clayton Cook-Mowery, WSBA# 41110
Quiroga Law Office, PLLC
505 N Argonne Road
Suite B109
Spokane Valley, WA 99212-2870
Tel: (509) 927-3840
Clay@quirogalawoffice.com
Attorney for Petitioner

CERTIFICATE OF COMPLIANCE

Pursuant to LCR 7(e) and LCR 65, I certify that this complaint and motion contain 3,778 words, in compliance with the Local Civil Rules. Counsel may rely on the word count of a word-processing system used to prepare the brief.

Respectfully submitted on the 2nd day of June, 2026.

/s/ Clayton Cook-Mowery
Cook-Mowery, WSBA #: 41110
Quiroga Law Office, PLLC
505 N. Argonne Road
Suite B-109
Spokane Valley, WA 99212
Tel: (509) 927-3840
Clay@QuirogaLawOffice.com

Attorney for Petitioner