DETAINED

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THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

GAGANDEEP SINGH AND ANMOLPREET KAUR,

Petitioners,

v.

Markwayne MULLIN, Secretary of U.S. Department of Homeland Security;
Todd BLANCHE, United States Attorney General;
Todd LYONS, Acting Director, U.S. Immigration and Customs Enforcements;
Laura HERMOSILLO, Acting Seattle Field Office Director, Immigration and Customs Enforcement;
Bruce SCOTT, Warden, Northwest ICE Processing Center;

Respondents.

Case No.

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

I. INTRODUCTION

1. This Petition challenges the ongoing and unconstitutional detention of Petitioners Anmolpreet Kaur (A#[redacted]) and Gagandeep Singh (A#[redacted]) ("Petitioners"), a married couple and citizens of India who entered the United States

on or about December 16, 2024, timely sought asylum protection, and remain detained without constitutionally adequate process.

2. Petitioners timely filed an application for asylum and withholding of removal and has complied with all applicable legal requirements while residing in the United States.
3. Petitioners have no criminal history in the United States or any other country.
4. Petitioners have remained continuously locatable by immigration authorities, obtained employment authorization, secured lawful employment, and established a residence while their immigration proceedings remained pending.
5. Petitioners were detained during an ICE enforcement operation at their residence and place of employment in Ponderay, Idaho.
6. During the arrest, ICE officers advised that Petitioners were being taken into custody because they allegedly failed to timely update their address with immigration authorities following a change of residence.
7. Notably, ICE officers advised that they had been aware of Petitioners' residence and employment location for an extended period of time prior to the arrest and had been monitoring the property.
8. Petitioners were not arrested because of any criminal conduct, public safety concern, allegation of dangerousness, or allegation that they posed a threat to the community.
9. Petitioners likewise were not arrested based upon any allegation that they failed to appear for immigration proceedings or absconded from immigration authorities.
10. Prior to detaining Petitioners, Respondents failed to provide any written notice explaining the basis for their detention.
11. Respondents also failed to provide Petitioners with any hearing before a neutral decisionmaker where ICE was required to justify detention or establish that Petitioners posed either a danger to the community or a flight risk.
12. Respondents also failed to provide Petitioners with any hearing before a neutral decisionmaker where the Government was required to establish that continued detention was justified or that either Petitioner posed a danger to the community or a flight risk.

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13. This Court has repeatedly held that due process requires notice and a hearing before the government may revoke a noncitizen's physical liberty. See *E.A.T.-B. v. Wamsley*, --- F. Supp. 3d ---, No. C25-1192-KKE, 2025 WL 2402130 (W.D. Wash. Aug. 19, 2025); *Ramirez Tesara v. Wamsley*, --- F. Supp. 3d ---, No. 2:25-CV-01723-MJP-TLF, 2025 WL 2637663 (W.D. Wash. Sept. 12, 2025); *Ledesma Gonzalez v. Bostock*, No. 2:25-CV-01404-JNW-GJL, 2025 WL 2841574 (W.D. Wash. Oct. 7, 2025); *Kumar v. Wamsley*, No. 2:25-CV-01772-JHC-BAT, 2025 WL 2677089 (W.D. Wash. Sept. 17, 2025).

14. By continuing to detain Petitioners without constitutionally adequate procedural safeguards and without any individualized determination that Petitioners present a danger to the community or a flight risk, Respondents have violated Petitioners' rights under the Due Process Clause of the Fifth Amendment.

15. Accordingly, this Court should grant the instant Petition and order Petitioners' immediate release or, alternatively, order constitutionally adequate individualized custody hearings before a neutral decisionmaker within a time certain.

II. PARTIES

16. Petitioners Anmolpreet Kaur (A#[redacted]) and Gagandeep Singh (A[redacted] are adult citizens of India currently detained at the Northwest ICE Processing Center in Tacoma, Washington.

17. 14. Respondent Markwayne Mullin is sued in his official capacity as the Secretary of the U.S. Department of Homeland Security. He is the cabinet-level secretary responsible for all immigration enforcement in the United States and has ultimate custodial authority over Petitioner.

18. 15. Respondent Todd Blanche is sued in his official capacity as the Attorney General of the United States. The Immigration Judges who decide removal cases and applications for relief from removal do so as his designees.

19. Respondent Todd Lyons is sued in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement ("ICE"). He is the head of the federal agency responsible for all immigration enforcement in the United States.

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20. Respondent Laura Hermosillo is sued in her official capacity as Acting Field Office Director for the Seattle office of Immigration and Customs Enforcement, an agency of the Department of Homeland Security. She is responsible for overseeing ICE operations pertaining to noncitizens within its territorial jurisdiction, such as Petitioner, including detentions, enforcement, and removal operations. She is the immediate legal custodian of the petitioner for purposes of a federal habeas petition.
21. Respondent, Bruce Scott, is sued in his official capacity as the Warden of the Northwest ICE Processing Center, the privately-operated immigration detention center where the Petitioner are being detained. Mr. Scott has immediate physical custody of Petitioner.

III. JURISDICTION

22. This Court has jurisdiction over this matter under 28 U.S.C. § 1331 (federal question jurisdiction); 28 U.S.C. § 2241 (habeas corpus); and 28 U.S.C. § 1651 (All Writs Act).
23. Further, this Court has jurisdiction under the Suspension Clause of Article I, § 9, cl. 2, of the U.S. Constitution. See *INS v. St. Cyr*, 533 U.S. 289 (2001).
24. Petitioners are currently detained within the Western District of Washington.
25. No other petitions, appeals, or motions regarding habeas corpus have been filed with any other court.

IV. VENUE

26. Venue in the Western District of Washington is appropriate under 28 U.S.C. § 1391(e)(1) because the Petitioners is currently detained in this judicial district.
27. Venue is further appropriate under 28 U.S.C. § 1391(e)(1) because the Respondents live, work, and operate within this judicial district and because the actions which gave rise to this Petition took place in Tacoma, Washington, which falls within this judicial district.

V. FACTUAL BACKGROUND

28. Petitioner Anmolpreet Kaur is a citizen and national of India.
29. Petitioner Gagandeep Singh is a citizen and national of India.

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30. Petitioners are husband and wife.

31. Petitioners entered the United States on or about December 16, 2024.

32. Petitioners subsequently filed applications for asylum, withholding of removal, and protection under the Convention Against Torture, which remain pending.

33. Petitioners have no criminal history whatsoever in the United States or any other country.

34. While their immigration proceedings remained pending, Petitioners obtained employment authorization, secured employment, and resided openly within the United States.

35. Petitioners remained continuously locatable by immigration authorities and did not abscond, evade supervision, or attempt to conceal their whereabouts from the Government.

36. Petitioners maintained a known residence and place of employment at the Sandpoint Inn in Ponderay, Idaho.

37. On or about May 23, 2026, ICE officers arrived at the Sandpoint Inn in Ponderay, Idaho and detained Petitioners.

38. According to witnesses present during the arrest, ICE officers stated that Petitioners were being taken into custody because Petitioners allegedly failed to timely update their address with immigration authorities following a change of residence.

39. During the encounter, ICE officers further advised that they had been aware of Petitioners' residence and employment location for an extended period of time prior to the arrest and had been monitoring the property.

40. Petitioners were not arrested based upon any criminal conduct, criminal charge, criminal conviction, or allegation that they posed a danger to the community.

41. Petitioners likewise were not arrested based upon any allegation that they failed to appear for immigration proceedings or otherwise absconded from immigration authorities.

42. Despite Petitioners' lack of criminal history, pending asylum applications, and known residence and employment, ICE immediately detained Petitioners and transferred them to the Northwest ICE Processing Center in Tacoma, Washington.

43. Prior to detention, Respondents failed to provide Petitioners with written notice explaining the basis for their detention.

44. Prior to detention, Respondents failed to provide Petitioners with any hearing before a neutral decisionmaker.

45. Respondents never made any individualized determination that either Petitioner posed a danger to the community.

46. Respondents never made any individualized determination that either Petitioner posed a flight risk.

47. Petitioners have never received an individualized custody hearing since being detained.

48. Petitioners are currently detained at the Northwest ICE Processing Center without constitutionally adequate process.

VI. MEMORANDUM OF LAW

Due Process Clause

49. The Fifth Amendment prohibits the Government from depriving any person of physical liberty without due process of law.

50. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the core of the liberty protected by the Due Process Clause." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

51. Courts have repeatedly recognized that physical detention implicates the most fundamental liberty interests protected by the Constitution.

52. To protect against arbitrary detention, due process requires procedures sufficient to ensure that continued detention is justified under the circumstances of the individual case.

53. This Court has repeatedly recognized that noncitizens detained within this District possess substantial liberty interests protected by the Fifth Amendment. See *E.A.T.-B. v. Wamsley*; *Ramirez Tesara v. Wamsley*; *Kumar v. Wamsley*; *Ledesma Gonzalez v. Bostock*.

54. Applying the *Mathews* balancing framework, these decisions recognize that the private interest in freedom from physical detention is extraordinarily significant.

55. These decisions further recognize that the risk of erroneous deprivation is substantial where detention occurs without any meaningful opportunity for the detainee to challenge the Government's justification for detention.

56. Petitioners have no criminal history whatsoever in the United States or any other country.

57. Petitioners timely sought asylum protection and continue to pursue lawful immigration relief.

58. Petitioners remained continuously locatable by immigration authorities and openly resided and worked at a known location in Ponderay, Idaho.

59. According to witnesses, ICE officers acknowledged that they were aware of Petitioners' residence and employment location before taking Petitioners into custody.

60. Respondents do not allege that Petitioners committed crimes, threatened public safety, absconded from immigration authorities, or failed to appear for immigration proceedings.

61. Respondents have never obtained any individualized determination that either Petitioner poses a danger to the community.

62. Respondents have never obtained any individualized determination that either Petitioner presents a flight risk.

63. Nevertheless, Respondents continue to incarcerate Petitioners at the Northwest ICE Processing Center.

64. Petitioners have never received a custody hearing before a neutral decisionmaker.

65. Petitioners have never been afforded a meaningful opportunity to challenge the factual or legal basis for their continued detention.

66. Under these circumstances, the risk of erroneous deprivation of liberty is extraordinarily high.

67. A neutral decisionmaker could evaluate Petitioners' lack of criminal history, pending asylum claims, employment history, community ties, compliance with immigration

proceedings, and any justification asserted by the Government for continued detention.

68. Without such procedures, Respondents retain unilateral authority to continue Petitioners' incarceration without any meaningful adversarial testing of the asserted basis for detention.

69. The Government's interest in administrative convenience cannot outweigh Petitioners' substantial liberty interests.

70. Due process requires meaningful procedural safeguards before the Government may continue depriving Petitioners of their physical liberty.

71. Because Respondents continue to detain Petitioners without constitutionally adequate process, their continued detention violates the Due Process Clause of the Fifth Amendment.

72. This Petition has been verified by Petitioners. See Verification of Petitioners.

VII. CLAIM FOR RELIEF

Violation of Fifth Amendment Right to Due Process

Procedural Due Process

73. The Due Process Clause of the Fifth Amendment prohibits the Government from depriving individuals of their physical liberty without constitutionally adequate procedural safeguards.

74. Petitioners possess a substantial liberty interest in freedom from physical detention.

75. Respondents continue to detain Petitioners at the Northwest ICE Processing Center without providing a meaningful opportunity to challenge the factual or legal basis for their continued detention.

76. Petitioners have never received an individualized custody hearing before a neutral decisionmaker.

77. Respondents have never been required to establish that either Petitioner poses a danger to the community.

78. Respondents have never been required to establish that either Petitioner presents a flight risk.

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79. Petitioners have no criminal history, maintain pending asylum claims, and were residing and working openly at a known location prior to detention.

80. Despite these circumstances, Respondents continue to deprive Petitioners of their physical liberty without constitutionally adequate process.

81. Under the balancing framework set forth in *Mathews v. Eldridge*, Petitioners' liberty interests are substantial, the risk of erroneous deprivation is significant absent meaningful procedural protections, and the Government's interest does not outweigh the constitutional requirement of due process.

82. Accordingly, Respondents' continued detention of Petitioners violates the Due Process Clause of the Fifth Amendment to the United States Constitution.

VIII. IRREPARABLE INJURY

83. Petitioners restate and reallege all preceding paragraphs as though fully set forth herein.

84. The Due Process Clause of the Fifth Amendment prohibits the Government from depriving individuals of their physical liberty without constitutionally adequate procedural safeguards.

85. Petitioners possess a substantial liberty interest in freedom from physical detention.

86. Respondents continue to detain Petitioners at the Northwest ICE Processing Center without providing a meaningful opportunity to challenge the factual or legal basis for their continued detention.

87. Petitioners have never received an individualized custody hearing before a neutral decisionmaker.

88. Respondents have never been required to establish that either Petitioner poses a danger to the community.

89. Respondents have never been required to establish that either Petitioner presents a flight risk.

90. Petitioners have no criminal history, maintain pending asylum claims, and were residing and working openly at a known location prior to detention.

91. Despite these circumstances, Respondents continue to deprive Petitioners of their physical liberty without constitutionally adequate process.

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92. Under the balancing framework set forth in *Mathews v. Eldridge*, Petitioners' liberty interests are substantial, the risk of erroneous deprivation is significant absent meaningful procedural protections, and the Government's interest does not outweigh the constitutional requirement of due process.

93. Accordingly, Respondents' continued detention of Petitioners violates the Due Process Clause of the Fifth Amendment to the United States Constitution.

IX. PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully requests that this Court:

A. Assume jurisdiction over this matter;

B. Issue a Writ of Habeas Corpus ordering Respondents to immediately release Petitioners Petitioner from custody or, in the alternative, ordering Respondents to provide Petitioners with an individualized bond hearing before an Immigration Judge within seven (7) days, at which Respondents bear the burden of proving by clear and convincing evidence that Petitioners poses either a flight risk or a danger to the community and that no less restrictive alternatives to detention would reasonably mitigate those risks;

C. Declare that Respondents violated Petitioners' rights under the Due Process Clause of the Fifth Amendment.

D. Award reasonable attorney's fees and costs; and

E. Grant such other and further relief as this Court deems just and proper.

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Respectfully submitted this 10th day of June, 2026.

/s/ Jashan Multani
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