

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

AVEL IVANOVICH REVENKO,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

Case No. 2:25-cv-00549-TL

RESPONSE IN OPPOSITION TO
PETITIONER'S OBJECTIONS TO
REPORT AND RECOMMENDATION

Noted for Consideration:
August 19, 2025

I. INTRODUCTION

Magistrate Judge Leupold correctly recommends that Petitioner Avel Ivanovich Revenko's federal habeas petition be denied. Dkt. No. 17, Report and Recommendation ("R&R"), at 10. The R&R found that Petitioner has not demonstrated that his post-order immigration detention is indefinite. *See* R&R, at 8-10. The R&R further found that "it is significantly likely that Petitioner's removal will occur in the reasonably foreseeable future." *Id.*, at 10.

Petitioner objects to these findings. Dkt. No. 18, Objections, at 2-3. He alleges that U.S. Immigration and Customs Enforcement ("ICE") "overstated Moldova's position" when it represented that Moldova had agreed to issue him a travel document on May 6, 2025. *Id.* This is

1 incorrect. As described in the declaration of Officer Rodriguez, ICE is now closer to obtaining
2 the necessary documentation to remove Petitioner to Moldova.

3 Accordingly, Petitioner's objections should be overruled, and this Court should adopt the
4 recommendation that the Petition be dismissed.

5 II. RECENT FACTS

6 Petitioner is currently detained at the Northwest ICE Processing Center ("NWIPC")
7 pursuant to 8 U.S.C. § 1231(a)(6). His order of removal became administratively final on May
8 16, 2024. R&R, at 4. Since that time, ICE has been working to execute his removal order by
9 obtaining necessary documents from Moldova to do so. *See id.*, at 4-6.

10 On July 3, 2025, the Moldovan Consulate requested Petitioner's Oregon or Washington
11 driver's license along with his apostilled criminal records. Rodriguez Decl., ¶ 4. ICE contacted
12 Petitioner's daughter that day and asked for her to provide the agency with Petitioner's driver's
13 license or other identity documents. *Id.*

14 On July 28, 2025, the General Consul of Moldova interviewed Petitioner at the NWIPC.
15 *Id.*, ¶ 6. The General Consul obtained the requisite forms and information from Petitioner to
16 submit to Moldova for him to obtain citizenship. *Id.* The General Consul also indicated that
17 they would need Petitioner's criminal records to be certified and submitted to the Consulate
18 along with a travel document packet, including the fee, and that the Consulate would inform ICE
19 when to submit those documents. *Id.* Once Moldova recognizes Petitioner's citizenship, a travel
20 document will be issued. *Id.*

21 ICE is currently working on obtaining Petitioner's apostilled criminal records. *Id.* Once
22 obtained, ICE will pay the necessary fee indicated by the Consulate in pursuit of Petitioner's
23 removal. *Id.* Based on the continued and regular communication that ICE has had with the
24 Moldovan government about Petitioner's removal, the Department of Homeland Security

1 believes that there is a significant likelihood of Petitioner's removal in the reasonably
2 foreseeable future. *Id.*, ¶ 8.

3 III. ARGUMENT

4 Section 1231(a)(6) authorizes ICE to detain Petitioner for a period reasonably necessary
5 to bring about that individual's removal from the United States and does not permit "indefinite"
6 detention. *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001). After a six-month "presumptively
7 reasonable" period of detention, if the noncitizen "provides good reason to believe that there is
8 no significant likelihood of removal in the reasonably foreseeable future, the Government must
9 respond with evidence sufficient to rebut that showing." *Id.* Here, the Government has rebutted
10 any such purported showing by Petitioner.

11 The R&R correctly found that Petitioner could not make a showing that his detention was
12 indefinite. *Id.*, at 8. Specifically, the R&R points to Moldova's indication that it would issue a
13 travel document for Petitioner during a May 6, 2025 communication with ICE. R&R, at 9.
14 While conceding that Magistrate Judge Leupold "reasonably concluded" that Petitioner was
15 likely to be removed in the reasonably foreseeable future on this basis, Petitioner objects to this
16 finding because Moldova has not issued a travel document to date, and "it does [not] appear that
17 Moldova has given any indication that its interviews with [him] have satisfied its concerns about
18 issuing him a travel document." *Obj.*, at 3. Petitioner's argument is in stark contrast to recent
19 events, including the General Consul of Moldova's in-person interview of Petitioner on July 28,
20 2025. Rodriguez Decl., ¶ 6. Based on this updated information, there remains good reason to
21 believe that Moldova will issue Petitioner a travel document and that there is a significant
22 likelihood of his removal in the reasonably foreseeable future.

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IV. CONCLUSION

For all of the foregoing reasons, the Court should overrule Petitioner's objections and adopt the R&R's recommendation that the Government's motion to dismiss (Dkt. No. 9) be granted and the Petition (Dkt. No. 1) and this action be dismissed.

DATED this 18th day of August, 2025.

Respectfully submitted,

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*I certify that this memorandum contains 724 words,
in compliance with the Local Civil Rules.*