

1 DISTRICT JUDGE TANA LIN
2 MAGISTRATE JUDGE GRADY J. LEUPOLD
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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 AVEL IVANOVICH REVENKO,

9 Petitioner,

10 v.

11 PAMELA BONDI, *et.al.*,

12 Respondents.

} No. CV25-549 TL-GJL

} AVEL REVENKO'S REPLY TO
RESPONSE TO PETITIONER'S
OBJECTIONS TO REPORT AND
RECOMMENDATION

13 The government's response to Mr. Revenko's objections confirms that the
14 Magistrate Judge relied on material misrepresentations of fact when recommending this
15 Court deny Mr. Revenko's petition for release. Dkt 20. Specifically, Respondents told
16 the Magistrate Judge that, on May 6, 2025, Moldova agreed to issue a travel document
17 to Mr. Revenko. Dkt 9 at 1. ICE now acknowledges that representation was false. In
18 fact, more than three months later, ICE now reports that Moldova has not even agreed
19 that Mr. Revenko is a citizen of that country.¹ See Dkt. 21, ¶ 6.

20 Respondents' misrepresentations prevented fair consideration of Mr. Revenko's
21 petition before the magistrate judge. As the Court now considers ICE's newest claims
22 about whether unspecified communications make Mr. Revenko's removal

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24 ¹ When ICE does not disclose the bases of its opinions, the frequency of these types of
25 misrepresentations is unknowable. However, Judge Cartwright recently noted a similar
falsehood in *Nguyen v. Scott*, 25cv1398-TMC. In that case, a deportation officer stated
26 that the petitioner's "case is under current review by the Government of Vietnam." ICE
later admitted that it had not even forwarded the request for travel documents to
Vietnam.

1 "substantially likely" in the "reasonably foreseeable future," the Court should not repeat
2 the mistake of uncritically extending the benefit of the doubt to the deportation officers'
3 representations and opinions. Rather, the Court should insist that respondents
4 immediately support their predictions with evidence.

5 The Court also should order Mr. Revenko's release because, over fifteen months
6 of post-order detention, largely passed in solitary confinement, "what counts as the
7 reasonably foreseeable future" has shrunk to the present time. That remains true even if
8 the Court accepts ICE's representations that it is trying hard and that Moldova may one
9 day issue Mr. Revenko a travel document.

10 DATED this 19th day of August, 2025.

11 Respectfully submitted,

12 s/ *Gregory Murphy*
13 Assistant Federal Public Defender
14 Attorney for Avel Revenko

15 I certify this document contains 291 words in compliance with the Local Civil Rules.

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