

1 Javon Ricardo Gordon  
2 A# [REDACTED]  
3 Northwest Detention Center  
4 1623 East J Street  
5 Tacoma, WA 98421-1615

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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT SEATTLE

11 JAVON RICARDO GORDON, ) No.  
12 Petitioner, )  
13 v. ) PETITION FOR WRIT OF HABEAS  
14 PAMELA BONDI, Attorney General of ) CORPUS BY A PERSON IN FEDERAL  
15 the United States; KRISTI NOEM, ) CUSTODY PURSUANT TO 28 U.S.C.  
16 Secretary, United States Department of ) § 2241  
17 Homeland Security; DREW BOSTOCK, )  
18 Seattle Field Office Director, United )  
19 States Citizenship and Immigration )  
20 Services; WARDEN of Immigration )  
21 Detention Facility; and the United States )  
22 Immigration and Customs Enforcement, )  
23 Respondents.  
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17 PETITION

18 1. Place of detention:

19 Northwest Detention Center, 1623 East J Street, Tacoma, Washington 98241-  
20 1615, pursuant to a contractual arrangement with my custodian, the ICE Field Office  
21 Director at Seattle, Washington.

22 2. Name and location of court and name of judge who imposed confinement:

23 ICE Field Director, Seattle, Washington.

24 3. Case Number or numbers [ICE file number, if known]:

25 A# [REDACTED]

1 4. Date of Order of Confinement:

2 A. Taken into custody by ICE: 1/31/2024

3 B. Date of Order of Removal: 10/2/2024

4 5. Did you appeal from the judgment of conviction or the imposition of sentence:

5 N/A

6 6. If you answered "yes" to (5), list

7 A. The name of each court or administrative tribunal to which you appealed:

8 N/A

9 B. The result in each court to which you appealed:

10 N/A

11 C. The date of each result:

12 N/A

13 D. If known, citations of any written opinions or orders entered pursuant to  
14 such results:

15 N/A

16 7. Have you previously filed petitions for habeas corpus, motions under section  
17 2255 of Title 28, United States Code, or any other applications, petitions or  
18 motions with respect to this confinement:

19 None

20 8. If you answered "yes" to (7), list with respect to each petition, motion or  
21 application:

22 A. The specific nature thereof:

23 N/A

24 B. The name and location of the court in which each was filed:

25 N/A

### C. The disposition:

N/A

D. The date of such disposition:

N/A

E. If known, citations of any written opinions or orders entered pursuant to each such disposition:

N/A

9. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully, and the facts which support each of the grounds.

## **GROUND FOR RELIEF**

A. My detention by respondent ICE is in violation of my rights to procedural and substantive due process, as guaranteed by the Fifth Amendment to the United States Constitution.

B. Because I am seeking relief related only to my custody status, which is not inconsistent with an order of deportation, exhaustion of administrative remedies, if any, is not required.

C. Because there is not good reason to believe my removal will be effectuated in the foreseeable future, ICE has no statutory authority pursuant to 8 U.S.C. § 1231(a)(6) to detain me. *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Lin Guo Xi v. INS*, 298 F.3d 832 (9th Cir. 2002); *Thai v. Ashcroft*, 366 F.3d 790 (9th Cir. 2004).

D. I was taken into ICE custody on January 31, 2024. My order of removal became final on October 2, 2024. I have done everything that ICE has asked me to do to try to get travel documents, and will cooperate fully in the process of getting travel documents. However, because I was born in the Bahamas to Jamaican citizens, I am currently stateless and there is nowhere that will accept my return.

1       I am not entitled to Bahamanian citizenship because neither of my parents is a  
2 citizen of that country. I did not apply for citizenship and did not swear an oath of  
3 allegiance before turning 19 years old. I have never received any lawful status in the  
4 Bahamas. Likewise, I have no right to Jamaican citizenship because I was not born in  
5 that country. I have attached an email from the Jamaican embassy confirming that I am  
6 not a Jamaican citizen.

7       E.      The statute authorizing my detention, 8 U.S.C. § 1231, and related  
8 regulations are unconstitutional as applied to me and others like me. Because ICE's  
9 communications with my country establish no reason to believe I will be deported in  
10 the reasonably foreseeable future, my continued detention is purely a punitive measure  
11 that violates my constitutional rights. *See Wong Wing v. U.S.*, 163 U.S. 228, 237 (1896)  
12 (holding that punitive measures could not be imposed upon immigrants ordered  
13 removed because "all persons within the territory of the United States are entitled to the  
14 protection" of the Constitution). This is particularly true because I have been subject to  
15 repeated violence by officers at the Tacoma NWDC while waiting for a removal that  
16 cannot come. My public defender, Sebastian Estrada of Brooklyn Defender Services,  
17 has filed complaints with the Office of the Inspector General and DHS's Office for Civil  
18 Rights and Civil Liberties. Finally, I have attached documentation showing that ICE has  
19 unreasonably delayed even requesting a travel document. (Exhibit A).

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1 10. Do you have any petition or appeal now pending in any court or administrative  
2 body as to the claims raised above?

3 N/A

4 11. Have you exhausted your administrative remedies with respect to the claims  
5 raised above?

6 *See 9(C), above.*

7 12. If you are seeking leave to proceed in forma pauperis, have you completed the  
8 sworn affidavit setting forth the required information?

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## PRAYER FOR RELIEF

Based upon the illegal and unconstitutional actions listed above, I request that the Court grant my petition and direct respondent to release me from custody, as well as any other relief to which I may be entitled in this proceeding under 28 U.S.C. § 2241.

I verify, under penalty of perjury, that the foregoing information is true and correct to the best of my recollection.

DATED this 14th day of April, 2025.

Respectfully submitted,

Javon Ricardo Gordon [SIGN NAME]  
Javon Ricardo Gordon  
A# [REDACTED]  
Northwest Detention Center  
1623 East J Street  
Tacoma, WA 98421-1615

## In Propria Persona