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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

TAREQ ZIAD FOUAD ZAKARNEH,

Case No. 3:25-cv-00394-SB

Petitioner,

PETITIONER'S RESPONSE TO ORDER
TO SHOW CAUSE

v.

IMMIGRATION CUSTOM
ENFORCEMENT et al.,

Respondents.

Petitioner Tareq Zakarneh, through undersigned counsel, offers the following Response to the Court's Order to Show Cause (ECF 8). For the reasons detailed below, Mr. Zakarneh consents to the transfer of his case to the Western District of Washington.

1. Mr. Zakarneh filed a Complaint in this Court on March 5, 2025, challenging *inter alia* his detention at the Northwest ICE Processing Center in Tacoma, Washington. The Court construed this action as arising under 28 U.S.C. § 2241, issued an Order to Show Cause why the case should not be transferred to the Western District of Washington, and appointed counsel for the limited purpose of responding to the show cause order. (ECF 8).

2. As the Court notes in its Order to Show Cause, in a habeas action, the proper Respondent is the immediate custodian and jurisdiction lies in the district of confinement. ECF 8 (citing

Rumsfeld v. Padilla, 542 U.S. 426, 435, 443 (2004)). Mr. Zakarneh seeks to challenge his detention on constitutional and statutory grounds, including that he is entitled under the Due Process Clause to challenge the evidence on which the Government purports to detain him. *See J.G.G. v. Trump*, ___ S. Ct. ___, 2025 U.S. LEXIS 1450, *2 (April 7, 2025) (habeas is the appropriate cause of action to vindicate due process rights related to deportation or removal).

3. As his claim is appropriately brought through a 28 U.S.C. § 2241 petition, Mr. Zakarneh admits that jurisdiction lies in the district of confinement which in his case is the Western District of Washington.

4. Accordingly, Mr. Zakarneh requests that the Court transfer his case to the Western District of Washington pursuant to 18 U.S.C. § 1404(a).

Dated: April 9, 2025.

/s/ Julie Vandiver

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