

Clayton Cook-Mowery, WSBA #: 41110
Quiroga Law Office, PLLC
505 N Argonne Rd.
Suite B-109
Spokane, WA 99212
(509)-927-3840
Clay@quirogalawoffice.com

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON**

BHOLA PAGE,

Plaintiff,

V.

THE GEO GROUP, INC., Facility Administrator of the Northwest ICE Processing Center,

and

TODD LYONS, Acting Director, U.S. Immigration and Customs Enforcement, in his official capacity as well as successors and assigns,

and

CAMILLA WAMSLEY, Field Office Director of ICE in Seattle, Washington, in her official capacity as well as her successors and assigns,

and

KRISTI NOEM, Secretary for the U.S. Department of Homeland, in her official capacity as well as her successors and assigns,

Defendants

Petition for Writ of Habeas Corpus
Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

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

The Plaintiff, Bhola Page (“Mr. Page”), by and through his undersigned counsel, respectfully petition this Honorable Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 challenging the legality for his prolonged civil immigration detention at the Northwest ICE Processing Center in Tacoma, Washington, by Respondents.

I. INTRODUCTION

1. Mr. Page, a stateless individual born in India, entered the United States as a lawful permanent resident (“LPR”) in 1982 at the age of eight.

2. Despite receiving a final order of removal in 2018, the United States government has been unable to secure travel documents or verify his citizenship with the government of India. As a result, Mr. Page has been detained for over thirty-seven months in total, without any realistic prospect of removal in the reasonably foreseeable future.

3. From June 2017 to March 2020, Mr. Page was detained for nearly three years before being released under ICE supervision due to the government’s failure to effectuate removal. For nearly five years, he complied fully with all supervision requirements.

4. On January 27, 2025, Mr. Page was arbitrarily re-detained, and he remains in ICE custody with no evidence or indication that removal is imminent. ICE has again failed to demonstrate that Mr. Page’s removal is reasonably foreseeable, as required by federal law and the U.S. Constitution.

5. Mr. Page now seeks immediate relief from this Court. His ongoing detention violates the Due Process Clause of the Fifth Amendment and exceeds the permissible limits established in *Zadvydas v. Davis*, 533 U.S. 678, (2001).

Petition for Writ of Habeas Corpus
Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

1 6. Mr. Page respectfully asks this Court to issue a writ of habeas corpus ordering his release
2 or directing the Respondents to justify his continued detention under constitutional and statutory
3 standards.

4 II. JURISDICTION

5 7. Mr. Page currently resides in Spokane, Washington, but is being detained in the custody of
6 the Respondents at the Northwest ICE Processing Center in Tacoma, Washington.

7 8. This Honorable Court has subject matter jurisdiction over this action pursuant to 28 U.S.C.
8 § 1331 (Federal Question Jurisdiction); 28 U.S.C. § 2241 (Habeas Corpus); the Suspension Clause,
9 U.S. Const. art. I, § 2; and 5 U.S.C. § 702 (Administrative Procedures Act).

10 9. Exhaustion of remedies is not required here because 1) available remedies provide no
11 genuine opportunity for adequate relief; (2) irreparable injury may occur without immediate
12 judicial relief; (3) administrative appeal may be futile; and (4) in certain instances a plaintiff has
13 raised a substantial constitutional question. *Xuyue Zhang v. Barr*, 612 F. Supp. 3d 1005 (C.D. Cal.
14 2020); *Habibi v. Barr*, 445 F. Supp. 3d 990 (S.D. Cal. 2020)

15 III. VENUE

16 10. Venue is proper in this District pursuant to 28 U.S.C. §1391(e)(1), because Mr. Page is a
17 resident of Washington States who was detained by U.S. Immigration and Customs Enforcement
18 (“ICE”), and then transferred to Tacoma, Washington where he is currently being held.

19 IV. PARTIES

20 11. The Plaintiff, Bhola Page, is stateless and resides in Spokane, Washington.

21 12. Respondent The GEO Group, Inc. (“GEO”), is a for-profit business operating in

22 Petition for Writ of Habeas Corpus
23 Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

1 Washington. It is the facility administrator and de-factor warden of the Northwest ICE Processing
2 Center (“NWIPC”), sometimes referred to as the Northwest Detention Center, located at 1623 East
3 J Street, Tacoma, Washington. GEO contracts with ICE for the detention of adult civil detainees
4 who are awaiting resolution of their immigration matters. GEO has contracted to provide this
5 service since 2005. As de-facto warden of the NWIPC, GEO has physical custody over Mr. Page.

6 13. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs
7 Enforcement. In this capacity, he is responsible for ICE’s policies and operations, including
8 oversight of Mr. Page detention. He is sued in his official capacity.

9 14. Respondent Cammilla Wamsley is the Field Office Director of ICE in Seattle, Washington.
10 Upon information and belief she is currently serving in an interim capacity. ICE is the arm of
11 Department of Homeland Security responsible for detaining and removing aliens under the
12 immigration laws. She is sued in her official capacity.

13 15. Respondent Kristi Noem is the Secretary of the U.S. Department of Homeland Security. In
14 this role, she is responsible for the enforcement and administration of the Immigration and
15 Nationality Act (“INA”) and oversees ICE. She has legal custody over Mr. Page and is sued in her
16 official capacity.

17
18 **V. STATEMENT OF FACTS**

19 16. Mr. Page incorporates by reference all preceding paragraphs as if fully set forth herein.

20 17. Mr. Page was born in India on May 16, 1973.

21 18. Mr. Page entered the United States on March 2, 1982, pursuant to an IR-4 visa.

22 19. With his visa, Mr. Page was admitted into the United States as an LPR.

23 Petition for Writ of Habeas Corpus
Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

1 20. Following his admission, Mr. Page was adopted by a United States citizen in Walla Walla,
2 Washington on February 25, 1983.

3 21. Mr. Page maintained LPR status from March 2, 1982, until December 14, 2017, when he
4 was ordered removed from the United States by an Immigration Judge in Tacoma, Washington,
5 following past criminal convictions.

6 22. While Mr. Page's removal proceedings were pending, he was detained at the Northwest
7 ICE Processing Center in Tacoma, Washington.

8 23. Mr. Page's December 14, 2017, removal order became final on December 31, 2018, after
9 the Ninth Circuit Court of Appeals dismissed his appeal.

10 24. Following the finality of the removal order, Mr. Page remained in ICE custody at the
11 Northwest ICE Processing Center in Tacoma, Washington until March of 2020.

12 25. In total, Mr. Page was detained at the Northwest ICE Processing Center in Tacoma,
13 Washington continuously from June 1, 2017, to March of 2020 – approximately thirty-three
14 months

15 26. Of the time Mr. Page was detained, eighteen months and thirty days were while his
16 proceedings and appeal were pending, and roughly fourteen months of his detainment occurred
17 after his removal order was final.

18 27. During the time he was detained after the removal order became final, the United States
19 government, working with the Indian government, repeatedly attempted, but failed, to establish
20 Mr. Page's citizenship in India, or to secure documents to allow his travel – a prerequisite to
21 effectuating his removal. Without such proof, Mr. Page is effectively stateless and India will not

22 Petition for Writ of Habeas Corpus
23 Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

1 agree to accept him for the United States to remove.

2 28. After the government failed to establish his citizenship and effectuate removal, Mr. Page
3 was released from detention in March 2020 – eighteen months after a final order was given, well
4 beyond the presumptive six-months period - and placed under ICE supervision. From that time
5 until January 27, 2025, Mr. Page complied with ICE's supervision requirements, including regular
6 check-in appointments.

7 29. On January 27, 2025, Mr. Page was unexpectedly taken back into custody by ICE officials
8 and again transferred to the Northwest ICE Processing Center in Tacoma, Washington, where he
9 remains detained to this day. It is unclear what caused this unexpected detention, as Mr. Page has
10 committed no new criminal charges and has been in compliance for all his ICE check-in since his
11 last release.

12 30. As of the filing of this complaint, Mr. Page's second detention has lasted more than four
13 months, with no indication from the government of any imminent removal or release.

14 31. In total, following his final removal order, Mr. Page has been detained for over eighteen
15 months in ICE custody at the Northwest ICE Processing Center in Tacoma, Washington, as a result
16 of the Respondents' continued inability to facilitate his removal.

17 **VI. CLAIMS FOR RELIEF**

18 **Count I: Violation of the Due Process Clause of the Fifth Amendment**

19 32. Mr. Page incorporates by reference all preceding paragraphs as if fully set forth herein.

20 33. The Due Process Clause of the Fifth Amendment prohibits the federal government from
21 depriving individuals of liberty without due process of law.

22 Petition for Writ of Habeas Corpus
23 Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

1 34. Civil immigration detention is subject to constitutional limits. While the government may
2 detain noncitizens during removal proceedings or following a final removal order, such detention
3 must bear a reasonable relation to its purpose and must not be indefinite or arbitrary. *Zadvydas*,
4 533 U.S. at 689, see also, *Banda v. McAleenan*, 385 F. Supp. 3d 1099 (W.D. Wash. 2019).

5 35. After 6 months of detention after a removal order becomes final, if there is a low chance
6 of removal in the reasonably foreseeable future, release is appropriate. *Zadvydas*, 533 U.S. at 699-
7 701.

8 36. Mr. Page has been detained for a total of more than eighteen months following a final order
9 of his removal. There is no indication that circumstances have changed since his last detention that
10 would give rise to a foreseeable future removal. Had the Respondents been able to secure any
11 travel documentation for him, they likely would have already issued his removal.

12 37. The Respondents continued detention of Mr. Page, despite their repeated and unsuccessful
13 attempts over several years to obtain travel documents or verify citizenship from India, is
14 unreasonable, arbitrary, and unconstitutional.

15 38. If, during the time that Mr. Page was not detained between 2020 and 2025, Respondents
16 had been able to obtain travel documents or if India agreed to accept him, then Respondents would
17 have been able to remove him promptly upon his detention on January 26, 2025.

18 39. Mr. Page's removal is not reasonably foreseeable, nor have Respondents provided Mr.
19 Page with any individual custody review or explanation for the prolonged nature of his detention.

20 40. Accordingly, the Respondents' continued detention of Mr. Page without justification or
21 meaningful process violates his rights under Due Process of the Fifth Amendment.

22 Petition for Writ of Habeas Corpus
23 Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

Count II: Violation of 8 U.S.C. § 1231(a)(6)

41. Mr. Page incorporates by reference all preceding paragraphs as if fully set forth herein.

42. Under 8 U.S.C. § 1231(a)(6), once a removal order becomes final, a noncitizen may be detained for up to 90 days, with further detention subject to review.

43. In *Zadvydas*, the Supreme Court held that six months of post-final-order detention is the presumptively reasonable period.

44. Mr. Page's removal order became final on December 31, 2018. He has since been detained in ICE custody for over eighteen months – a periods far beyond the presumptive six-months period.

45. The Respondents have failed to show that Mr. Page's removal is reasonably foreseeable, or that there is any realistic prospect that India will accept him.

46. Mr. Page established himself as neither a flight risk nor a danger to the community, when he was released under ICE supervision from 2020 until 20205 and complied with all conditions for nearly five years before being arbitrarily re-detained.

47. Accordingly, Mr. Page's continued detention violates *Zadvydas* and is unlawful under § 1231(a)(6).

Petition for Writ of Habeas Corpus
Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840

VII. PRAYER FOR RELIEF

WHEREFORE, the Plaintiff respectfully request that this Court grant the following relief:

1. Issue a writ of habeas corpus pursuant to 28 U.S.C. § 2241, finding that Mr. Page's detention is unlawful because it violates the Due Process Clause of the Fifth Amendment and 8 U.S.C. § 1231(a)(6);
2. Order Respondents to immediately release Mr. Page from ICE custody, subject to appropriate conditions of supervision if necessary;
3. Declare the Mr. Page's continued detention beyond a presumptively reasonable period is unconstitutional and unlawful absent a showing that removal is significantly likely in the reasonably foreseeable future;
4. Award such other and further relief as the Court deems just and proper under the circumstances; and,
5. Award reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412.

Respectfully submitted on this 13th day of June 2025.

By: s/Clayton Cook-Mowery
Clayton Cook-Mowery
Washington State Attorney ID: # 41110
Quiroga Law Office, PLLC
505 N Argonne Road
Suite B109
Spokane Valley, WA 99212-2870
Tel: (509) 927-3840
clay@quirolawoffice.com

Attorney for Plaintiff

Petition for Writ of Habeas Corpus
Pursuant to 28 U.S.C. § 2241

Quiroga Law Office, PLLC
505 N. Argonne Road, Suite B-109
Spokane, WA 99212
509-927-3840