

1
2
3
4
5
6
7
8
9
10 **UNITED STATES DISTRICT COURT**
11 **WESTERN DISTRICT OF WASHINGTON**
12 **AT SEATTLE**

13 **HASSAN AMHIRRA,**

14 *Petitioner,*

Case No.: 2:25-cv-01376-TL

15 v.

16 **WARDEN, Northwest Detention**
17 **Center,**

Respondent.

18 **PETITIONER'S RESPONSE TO THE COURT'S AUGUST 28, 2025 ORDER**
19
20
21
22

23
24 RESPONSE TO AUGUST 28, 2025
ORDER

1

Urena & Associates, PLLC
42 West St, Suite 136
Brooklyn, NY 11222
(703) 989-4424

1 On August 28, 2025, this Court directed Respondent to file a status report by
2 September 12, 2025 regarding whether Petitioner was provided an adequate interpreter at
3 his September 2, 2025 immigration hearing and the outcome of that hearing. Dkt. 20.
4 Petitioner respectfully submits this response to clarify the record and address the
5 constitutional significance of what transpired at the hearing attended by undersigned
6 counsel Ines Ati.

7 1. On September 2, 2025, the Tacoma Immigration Court convened another master
8 calendar hearing in Mr. Amhirra's re-initiated removal proceedings. Once again, no
9 interpreter proficient in Mr. Amhirra's sole language (Tamazight, Aulouz dialect) was
10 available.

11 2. Without a qualified interpreter, the Immigration Judge could not communicate with
12 Mr. Amhirra, take pleadings from the Respondent, or conduct any substantive business,
13 and the fundamental impediment that led to the prior termination persisted unchanged.

14 3. At the September 2 hearing, undersigned counsel reiterated the arguments set forth
15 in the Mr. Amhirra's Motion to Terminate, explaining that the December 13, 2024
16 termination order had already found that proceeding without a qualified interpreter would
17 violate due process and that no material circumstances had changed—the Government still
18 could not provide an interpreter able to communicate with Mr. Amhirra.

19 4. During that hearing Immigration Judge Tammy Fitting denied the renewed Motion
20 to Terminate on the record, stating: "[I'm] obviously not going to grant your motion to
21 terminate."

22 5. The court provided no reasoned explanation addressing the prior termination order,
23 identified no changed facts, and offered no plan to secure a qualified interpreter, thereby

1 leaving the case active despite the Government's continuing inability to conduct a
2 fundamentally fair proceeding.

3 6. Judge Fitting's denial under these unchanged circumstances perpetuates the due
4 process violation previously recognized by the Immigration Court and underscores the
5 arbitrary and capricious nature of continuing the proceedings without a qualified
6 interpreter.

7 7. As of September 2, 2025, no functional hearing could occur and Mr. Amhirra
8 remained unable to understand or participate in his own case.

9 **Conclusion**

10 Given these facts, it is clear that Mr. Amhirra's removal proceedings **cannot**
11 constitutionally proceed absent a qualified interpreter in his sole language, Tamazight
12 (Aulouz dialect). The Immigration Court has already determined once before that
13 conducting such proceedings without an interpreter would violate due process, and nothing
14 material has changed. Indeed, the Government's repeated failures on December 13, 2024,
15 July 31, 2025, August 18, 2025, and September 2, 2025 demonstrate that it is not
16 reasonably foreseeable that DHS will be able to remove Mr. Amhirra in compliance with
17 the Constitution's requirement that proceedings be fundamentally fair. Because the
18 Government cannot provide the constitutionally required interpretation and therefore
19 cannot lawfully remove Petitioner, this Court should order Respondent to release Mr.
20 Amhirra from custody forthwith.

21 Dated: September 5, 2025

Respectfully Submitted,

22 /s/Rafael Urena

Ines Ati, Esq.

23 Phone: (929) 988-0354

24 RESPONSE TO AUGUST 28, 2025
ORDER

3

Urena & Associates, PLLC
42 West St, Suite 136
Brooklyn, NY 11222
(703) 989-4424

Email: ia@urenaesq.com

Rafael Ureña, Esq.

Phone: (703) 989-4424

Email: ru@urenaesq.com

URENA & ASSOCIATES, PLLC

42 West Street, Floor R

Brooklyn, NY 11222

Lead Counsel for Petitioner

Julia Carroll Hunter

LAW OFFICES OF CAROL L.

EDWARD & ASSOCIATES (SEA)

500 DENNY WAY

SEATTLE, WA 98109

206-956-9556

Fax: 206-956-4025

Email: julia@seattle-immigration.com

Local Counsel for Petitioner

Certificate of Service

I hereby certify that on September 5, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Service of the motion is being made upon all Respondents by operation of the Court's ECF notification system to Respondents' counsel of record.

Dated: September 5, 2025

Respectfully Submitted,

/s/Rafael Urena

Ines Ati, Esq.

Phone: (929) 988-0354

Email: ia@urenaesq.com

Rafael Ureña, Esq.

Phone: (703) 989-4424

Email: ru@urenaesq.com

URENA & ASSOCIATES, PLLC

42 West Street, Floor R

Brooklyn, NY 11222

Lead Counsel for Petitioner

Julia Carroll Hunter

LAW OFFICES OF CAROL L.

EDWARD & ASSOCIATES (SEA)

500 DENNY WAY

SEATTLE, WA 98109

206-956-9556

RESPONSE TO AUGUST 28, 2025
ORDER

5

Urena & Associates, PLLC
42 West St, Suite 136
Brooklyn, NY 11222
(703) 989-4424

Fax: 206-956-4025

Email: julia@seattle-immigration.com

Local Counsel for Petitioner