

DETAINED

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

PAK PO CHU,

Petitioner,

v.

PAMELA BONDI, Attorney General;
KRISTI NOEM, Secretary of Homeland
Security;
TODD LYONS, Acting Director, U.S.
Immigration and Customs Enforcement;
CAMMILLA WAMSLEY, Field Office
Director, ICE Seattle Field Office;
BRUCE SCOTT, Warden, Northwest ICE
Processing Center;

Respondents.

Case No.: 2:25-
cv-1392

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

Agency File Number:
A# 

PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner Park Po Chu ("Mr. Chu") is a lawful permanent resident of the United States who has been under ICE custody since May 11, 2025. On July 9, 2025, the immigration judge terminated removal proceedings against him; yet over thirteen days later, the government has failed to release Petitioner from detention. Under such

1 circumstances, continued detention lacks any statutory basis, and Mr. Chu must be
2 released.

3 **JURISDICTION AND VENUE**

4 2. This action arises under the Immigration and Nationality Act of 1952
5 (“INA”), as amended, 8 U.S.C. § 1101 *et seq.*, and the Due Process Clause of the Fifth
6 Amendment to the United States Constitution. This Court has jurisdiction pursuant to Art.
7 I, § 9, cl. 2 of the United States Constitution; 28 U.S.C. § 2241 (general grant of habeas
8 authority to the district courts); 28 U.S.C. § 1331 (federal question jurisdiction); 28 U.S.C.
9 §§2201, 2202 (Declaratory Judgment Act); and 28 U.S.C. § 1651 (All Writs Act).
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11 3. Venue is proper under 28 U.S.C. § 1391(e) because Petitioner is detained at
12 the Northwest ICE Processing Center in Pierce County, within the Western District of
13 Washington. *See Braden v. 30th Judicial Circuit Court of Kentucky*, 410 U.S. 484, 494–95
14 (1973).
15

16 **PARTIES**

17 4. Park Po Chu, the Petitioner, is a citizen and native of China and has lived
18 in United States as a lawful permanent resident since 2014. His removal proceedings have
19 been terminated by an Immigration Judge, and he is currently detained by Respondents at
20 the Northwest ICE Processing Center in Tacoma, Washington.
21

22 5. Respondent Bruce Scott, the Warden of the Northwest ICE Processing
23 Center, is the immediate physical custodian of Petitioner for purposes of a federal habeas
24 petition. *Braden*, 410 U.S. at 494–95.

25 6. Respondent Nathalie Asher, the Field Office Director of the Immigration
26 and Customs Enforcement (“ICE”) Seattle Field Office, is responsible for overseeing ICE
27 operations pertaining to noncitizens within its territorial jurisdiction, such as Mr. Chu,
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1 including detentions, enforcement, and removal operations. She is the immediate legal
2 custodian of Petitioner for purposes of a federal habeas petition. *Braden*, 410 U.S. at 494–
3 95.

4 7. Respondent Kristi Noem is the Secretary of the Department of Homeland
5 Security (“DHS”). She is the cabinet-level secretary responsible for all immigration
6 enforcement in the United States.

7 8. Respondent Todd Lyons is the Acting Director of U.S. Immigration and
8 Customs Enforcement (“ICE”). He is the head of the federal agency responsible for all
9 immigration enforcement in the United States.

10 9. Respondent Pamela Bondi is the Attorney General of the United States. The
11 Immigration Judges who decide removal cases and applications for relief from removal do
12 so as her designees.

13 10. All government Respondents are sued in their official capacities.

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16 **FACTUAL ALLEGATIONS**

17 11. Mr. Chu was born in 1970. He is a native and citizen of China.

18 12. Mr. Chu entered the United States as a Lawful Permanent Resident in 2014.

19 13. Mr. Chu’s entire immediate family are U.S. citizens and reside in the United
20 States.

21 14. In 2022, Mr. Chu received a 364-day suspended sentence for a drug
22 trafficking offense.

23 15. On May 11, 2025, Mr. Chu was detained by ICE due to his criminal record
24 and has been in custody at the Northwest ICE Processing Center since then.¹

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¹ Ex. A, ICE Detainee Locator System.

1 16. On June 10, 2025, Mr. Chu received a Notice to Appear in immigration
2 court.²

3 17. Mr. Chu's removal proceedings were terminated by an Immigration Judge
4 ("IJ") in Tacoma, Wa. on July 9, 2025.³ Respondents waived appeal.

5 18. Mr. Chu remains a lawful permanent resident, and Respondents lack any
6 statutory basis to continue detaining Petitioner.
7

8 **FIRST CLAIM FOR RELIEF:**

9 **Violation of 8 U.S.C. § 1226**

10 19. Mr. Chu re-alleges and incorporates by reference the preceding paragraphs
11 1-17.

12 20. 8 U.S.C. § 1226 allows detention of Mr. Chu pending removal proceedings
13 before an immigration judge. However, those proceedings have now been concluded in
14 Mr. Chu's favor, and he remains a lawful permanent resident of the United States. There
15 is, accordingly, no statutory basis for Respondents to continue to detain Mr. Chu.
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17 **SECOND CLAIM FOR RELIEF:**

18 **Violation of the Due Process Clause of the Fifth Amendment to the U.S. Constitution**

19 21. Mr. Chu re-alleges and incorporates by reference the preceding paragraphs
20 1-17.

21 22. Respondents' detention of Mr. Chu no longer bears any reasonable relation
22 to a legitimate government purpose, and thus violates the Due Process Clause of the Fifth
23 Amendment.
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28 ² Ex. B, Notice to Appear.

³ Ex. C, Order of the Immigration Judge.

PRAYER FOR RELIEF

23. Mr. Chu respectfully requests that this Court assume jurisdiction over this matter and enter an order:

- a. Declaring that Mr. Chu's continued detention violates federal law and his due process rights;
- b. Granting the writ of habeas corpus and ordering Respondents to release Mr. Chu from detention forthwith; and
- c. Granting any other relief that this Court deems just and proper.

Respectfully submitted,

Dated: July 24, 2025.

//s// Kelly Vomacka

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Washington State Bar no. 20090

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**Pro Hac Vice application forthcoming
Attorneys for Petitioner*

TABLE OF EXHIBITS

Exhibit A: ICE Detainee Locator System.

Exhibit B: Notice to Appear.

Exhibit C: Order of the Immigration Judge.

VERIFICATION OF PETITIONER

On behalf of PAK PO CHU, the party in custody, I verify the facts contained in the Petition for Writ of Habeas Corpus, upon information and belief, having reviewed the relevant records and pleadings. Mr. Chu has not verified the petition himself because he is detained in a different county from my office and home.

Dated: July 24, 2025

//s// Simon Sandoval-Moshenberg
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