

District Judge John H. Chun  
Magistrate Judge Michelle L. Peterson

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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HAJI FOFANA, *et al.*,

Petitioners,

v.

BRUCE SCOTT, *et al.*,

Respondents.

Case No. 2:25-cv-01417-JHC-MLP

FEDERAL RESPONDENTS'  
SUPPLEMENT TO THE RETURN  
MEMORANDUM

Noted for Consideration:  
September 30, 2025

Federal Respondents provide this supplement to the return memorandum filed on September 2, 2025. Dkt. No. 8. Fofana brings the habeas portion of this litigation pursuant to 28 U.S.C. § 2241 to challenge the lawfulness of his immigration detention.<sup>1</sup> He alleges that his ongoing prolonged detention is unlawful as it is not likely to end in the reasonably foreseeable future, and that his country of origin, Sierra Leone, has historically refused to cooperate with issuing travel documents and accepting returning deportees. Pet., ¶ 47. In the Declaration of Jiarong Du (Dkt. No. 10), U.S. Immigration and Customs Enforcement (“ICE”) opined that it

<sup>1</sup> Plaintiffs’ writ of mandamus and Administrative Procedure Act claims concerning their Form I-130 and Form I-485 pending with U.S Citizenship and Immigration Services have been stayed through November 10, 2025. Dkt. No. 13.

1 would take approximately six months for a travel document to issue based on current estimates.

2 Du Decl., ¶ 15. A travel document was requested as of August 29, 2025. *Id.*, ¶ 15.

3 Undersigned counsel understands that Sierra Leone issued a travel document to execute the

4 removal order for Petitioner Haji Fofana on or about September 10, 2025. Thus, there is a

5 significant likelihood of his removal in the reasonably foreseeable future. *Zadvydas v. Davis*,

6 533 U.S. 678, 701 (2001).

7 DATED this 29th day of September, 2025.

8 Respectfully submitted,

9 TEAL LUTHY MILLER  
Acting United States Attorney

10 *s/ Michelle R. Lambert*

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