

1 Dabona Tang

2 Northwest Detention Center
3 1623 East J Street
4 Tacoma, WA 98421-1615

5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8 DABONA TANG,

9 Petitioner,

10 v.

11 PAMELA BONDI, Attorney General of
12 the United States; KRISTI NOEM,
13 Secretary, United States Department of
14 Homeland Security; DREW BOSTOCK,
15 Seattle Field Office Director, United
16 States Citizenship and Immigration
17 Services; WARDEN of Immigration
18 Detention Facility; and the United States
19 Immigration and Customs Enforcement,

20 Respondents.

) No.

) PETITION FOR WRIT OF HABEAS
) CORPUS BY A PERSON IN FEDERAL
) CUSTODY PURSUANT TO 28 U.S.C.
) § 2241

21 **PETITION**

22 1. Place of detention:

23 Northwest Detention Center, 1623 East J Street, Tacoma, Washington 98241-
24 1615, pursuant to a contractual arrangement with my custodian, the ICE Field Office
25 Director at Seattle, Washington.

26 2. Name and location of court and name of judge who imposed confinement:

ICE Field Director, Seattle, Washington.

3. Case Number or numbers [ICE file number, if known]:



- 1 4. Date of Order of Confinement:
- 2 A. Most recently rearrested by ICE on May 21, 2025
- 3 B. Date of Order of Removal: February 17, 2011
- 4 5. Did you appeal from the judgment of conviction or the imposition of sentence:
- 5 N/A
- 6 6. If you answered "yes" to (5), list
- 7 A. The name of each court or administrative tribunal to which you appealed:
- 8 N/A
- 9 B. The result in each court to which you appealed:
- 10 N/A
- 11 C. The date of each result:
- 12 N/A
- 13 D. If known, citations of any written opinions or orders entered pursuant to
- 14 such results:
- 15 N/A
- 16 7. Have you previously filed petitions for habeas corpus, motions under section
- 17 2255 of Title 28, United States Code, or any other applications, petitions or
- 18 motions with respect to this confinement:
- 19 Yes. I filed a petition pursuant to 28 U.S.C. § 2241 in the Central District of
- 20 California. *See Tang v. Noem, et al.*, 2025 cv 4638 (C. D. Cal.). I withdrew that petition
- 21 when I was transferred to the Western District of Washington.
- 22 8. If you answered "yes" to (7), list with respect to each petition, motion or
- 23 application:
- 24 A. The specific nature thereof:
- 25
- 26

1 Petition for release from unlawful detention pursuant to 28 U.S.C. § 2241. I
2 alleged violations of my right to Due Process and violations of the Administrative
3 Procedure Act.

4 B. The name and location of the court in which each was filed:
5 Central District of California.

6 C. The disposition:
7 I withdrew the petition.

8 D. The date of such disposition:
9 The case was closed on June 10, 2025.

10 E. If known, citations of any written opinions or orders entered pursuant to
11 each such disposition:

12 N/A

13 9. State concisely the grounds on which you base your allegation that you are being
14 held in custody unlawfully, and the facts which support each of the grounds.

15 **GROUND FOR RELIEF**

16 A. My detention by respondent ICE is in violation of my rights to procedural
17 and substantive due process, as guaranteed by the Fifth Amendment to the United
18 States Constitution.

19 B. My rearrest despite full compliance with release conditions for fourteen
20 years violates both the due process guarantee and the Administrative Procedures Act.

21 C. Because I am seeking relief related only to my custody status, which is
22 not inconsistent with an order of deportation, exhaustion of administrative remedies, if
23 any, is not required.

24 D. I was born in a refugee camp in the Philippines. ICE am stateless.

25 E. I was ordered deported in 2011. However, because there was no country
26 to which I could be removed, ICE released me subject to an Order of Supervision after

1 six months in immigration detention. Since my release in 2011, I have complied with
2 every condition. I have attended every ICE check-in and have not violated any law. I
3 have worked and raised a family.

4 F. After 14 years of flawless compliance, I was rearrested at my ICE check
5 in May 2025. My rearrest resulted from a change in ICE policy, not from an
6 individualized assessment of my risk of flight or dangerousness, and not because of any
7 increased likelihood of removal. ICE has told me that I cannot be removed to Vietnam,
8 where my parents were born, or the Philippines, where I was born. ICE may intend to
9 seek my removal to an unknown third country.

10 G. My rearrest despite full compliance with supervision conditions violates
11 my rights to Due Process and fails to comply with the APA's prohibition on arbitrary
12 government action. ICE did not follow its own rules when rearresting me. It provided
13 no lawful rationale for the decision to rearrest me. *See Citizens to Preserve Overton*
14 *Park, Inc. v. Volpe*, 401 U.S. 402, 413-14 (1971) (citing 5 U.S.C. § 706(2)(A)-(D)) (“In
15 all cases agency action must be set aside if the action was ‘arbitrary, capricious, an
16 abuse of discretion or otherwise not in accordance with law’ or if the action failed to
17 meet statutory, procedural, or constitutional requirements.”).

18 H. I am neither a danger nor a flight risk. *See* exhibit 1.

19 I. Because there is not good reason to believe my removal can be
20 effectuated in the foreseeable future, ICE has no statutory authority pursuant to 8
21 U.S.C. § 1231(a)(6) to detain me. *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Lin Guo Xi*
22 *v. INS*, 298 F.3d 832 (9th Cir. 2002); *Thai v. Ashcroft*, 366 F.3d 790 (9th Cir. 2004).

23 I. I served six months in immigration custody following my order of
24 removal in 2011 and have now been imprisoned a second time for nearly three months.
25 In 14 years, ICE has not been able to effectuate my removal. I have done everything
26 that ICE has asked me to do to try to get travel documents and will cooperate fully in

1 the process of getting travel documents to any country to which I can safely be
2 removed.

3 J. The statute authorizing my detention, 8 U.S.C. § 1231, and related
4 regulations are unconstitutional as applied to me and others like me. Because ICE
5 considers me stateless and that there is no reason to believe I will be deported in the
6 reasonably foreseeable future, my continued detention is purely a punitive measure that
7 violates my constitutional rights. *See Wong Wing v. U.S.*, 163 U.S. 228, 237 (1896)
8 (holding that punitive measures could not be imposed upon immigrants ordered
9 removed because "all persons within the territory of the United States are entitled to the
10 protection" of the Constitution).

11 10. Do you have any petition or appeal now pending in any court or administrative
12 body as to the claims raised above?

13 N/A

14 11. Have you exhausted your administrative remedies with respect to the claims
15 raised above?

16 *See* 9(C), above.

17 12. If you are seeking leave to proceed in forma pauperis, have you completed the
18 sworn affidavit setting forth the required information?

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PRAYER FOR RELIEF


1
2 Based upon the illegal and unconstitutional actions listed above, I request that
3 the Court grant my petition and direct respondent to release me from custody, as well as
4 any other relief to which I may be entitled in this proceeding under 28 U.S.C. § 2241.

5 I verify, under penalty of perjury, that the foregoing information is true and
6 correct to the best of my recollection.

7 DATED this 28 day of July, 2025.

8 Respectfully submitted,

9
10
11  [SIGN NAME]
12 Dabona Tang

13 
14 Northwest Detention Center
15 1623 East J Street
16 Tacoma, WA 98421-1615

17 In Propria Persona
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