

District Judge Richard A. Jones  
Magistrate Judge Theresa L. Fricke

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

DABONA TANG,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

Case No. 2:25-cv-01473-RAJ-TLF

FEDERAL RESPONDENTS'  
REPLY IN SUPPORT OF THEIR  
MOTION TO STRIKE PETITIONER'S  
PRELIMINARY INJUNCTION  
MOTION

In their motion to strike Petitioner's preliminary injunction motion, Federal Respondents argued that the Court should strike the motion for three reasons: (1) it is improper in this habeas proceeding, (2) it contradicts Petitioner's earlier request for expedited consideration, and (3) it would waste resources to brief the same arguments twice. Dkt. 17. In response, Petitioner addresses one sub-argument of the first point—and nothing else.

Petitioner argues that an order compelling his release would preserve the status quo rather than alter it. Dkt. 18 at 1–2. This is in response to one of the two arguments Federal Respondents raised as to why his preliminary injunction motion is improper here. *See* Dkt. 17 at 3. Even if an order releasing Petitioner from custody after three months could be considered an order preserving the status quo, Petitioner's motion should still be stricken.

1 Indeed, Petitioner fails to address any other of Federal Respondents' arguments. He  
2 ignores (and therefore concedes) that:

- 3 • his motion seeks relief beyond what he sought in the pending petition, and the additional  
4 relief he seeks (an order barring future arrest or detention without leave of Court) does not  
5 sound in habeas (Dkt. 17 at 3);
- 6 • the preliminary injunction motion is noted for consideration four days *after* the motion to  
7 dismiss the habeas petition (*id.* at 4);
- 8 • the motion-to-dismiss briefing and the preliminary injunction briefing would be nearly  
9 identical and therefore wastes the parties' and the Court's resources (*id.*).

10 Instead, Petitioner reveals that his preliminary injunction motion is an attempted end run  
11 around the Court's previous order granting his motion to shorten Federal Respondents' time to  
12 respond—though not as much as he would have liked. *See* Dkt. 18 at 2 (“[T]he magistrate did not  
13 grant the relief Mr. Tang sought. Mr. Tang has no alternative but to request emergency relief.”)  
14 (footnote omitted).<sup>1</sup> This attempt to seek reconsideration of the Court's prior order should not be  
15 permitted.

16 Finally, Petitioner argues this Court should follow paths other sections of this Court have  
17 taken in habeas cases. Dkt. 18 at 2. He suggests this Court follow Judge Evanson in *E.A.T.-B. v.*  
18 *Wamsley* and expedite consideration of his habeas petition. *Id.* But this Court has already done  
19 that. *See* Dkt. 8. Alternatively, he suggests following the *Nguyen* proceedings before Judge  
20 Cartwright. Those proceedings are so different that they cannot be a model here. There, the  
21 petitioner moved for a temporary restraining order (TRO). No. 2:25-cv-01398, Dkt. 2. The Court  
22 issued a TRO and ordered the parties to confer about a preliminary injunction schedule. *Id.* at  
23

24 <sup>1</sup> Petitioner incorrectly argues that Federal Respondents opposed his motion to shorten their time. Dkt. 18 at 2:5–6. Federal Respondents did not have the chance to do so before the Court's ruling. *See* Dkts. 7, 8.

1 Dkts. 8, 20. At the preliminary injunction stage, the Court ordered Nguyen’s release and, after  
2 ordering his release, ordered that a response to the pending habeas petition be filed 20 days later.  
3 *Id.* at Dkts. 45–46.

4 This Court should not and need not follow suit. Here, Petitioner did not move for a TRO,  
5 the Court ordered a response to the habeas petition, and Federal Respondents have filed that  
6 response. Dkts. 6, 12. Unlike in *Nguyen*, the return and motion to dismiss will be ready for the  
7 Court’s ruling before the preliminary injunction motion would be. *See* Dkt. 12. On these facts,  
8 there is no reason for a preliminary injunction motion, and Petitioner’s motion should be stricken.

9 Dated September 2, 2025.

10 Respectfully submitted,

11 TEAL LUTHY MILLER  
12 Acting United States Attorney

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22 *Counsel for Federal Respondents*

23 I certify this memorandum contains 576 words,  
24 in compliance with the Local Civil Rules.