

District Judge Tiffany M. Cartwright
Magistrate Judge Michelle L. Peterson

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

OGANES DOGANYAN,

Petitioner,

v.

CAMMILLA WAMSLEY, *et al.*,

Respondents.

Case No. 2:25-cv-01480-TMC-MLP

FEDERAL RESPONDENTS'
SUPPLEMENTAL BRIEFING

Pursuant to this Court’s Minute Order (Dkt. No. 19), Federal Respondents submit this briefing concerning the mootness of Petitioner Oganeg Doganyan’s motion for a temporary restraining order (“TRO”) (Dkt. No. 2) and this habeas action in its entirety.

For a federal court to have jurisdiction, “an actual controversy must exist at all stages of the litigation.” *Biodiversity Legal Foundation v. Badgley*, 309 F.3d 1166, 1173 (9th Cir. 2002). A district court may grant a writ of habeas corpus for a prisoner who is being held in government custody in violation of United States law. *Zichko v. Idaho*, 247 F.3d 1015, 1019 (9th Cir. 2001). “For a habeas petition to continue to present a live controversy after the petitioner’s release or deportation . . . there must be some remaining ‘collateral consequence’ that may be redressed by success on the petition.” *Abdala v. INS*, 488 F.3d 1061, 1064 (9th Cir. 2007). No actual

1 controversy continues to exist in this litigation as Doganyan is no longer in custody of the U.S.
2 Department of Homeland Security (“DHS”) and no collateral consequence remains to be
3 addressed.

4 When Doganyan filed this habeas petition, U.S. Immigration and Customs Enforcement
5 detained him at the Northwest ICE Processing Center (“NWIPC”) in Tacoma, Washington.
6 Doganyan alleges that his continued detention violates his Fifth Amendment due process rights
7 and the Immigration and Nationality Act. The petition seeks his release from immigration
8 detention or, in the alternative, a bond hearing. Pet., at 1. In conjunction with the petition,
9 Doganyan filed a TRO motion seeking his immediate release from ICE detention either to home
10 confinement or to “transfer him to a qualified medical facility immediately.” TRO Mot., at 8-9.

11 On August 13, 2025, U.S. Marshals took custody of Doganyan in relation to his criminal
12 indictment in the U.S. District Court for the Central District of California, No. 2:21-cr-00548.
13 Dkt. No. 18, Sica Decl., ¶¶ 3-4. As a result, Doganyan is no longer under medical care at the
14 NWIPC or in DHS custody. Thus, “a favorable judicial decision will not redress any actual
15 injury traceable to” Doganyan. *Hashi v. Chertoff*, No. 07-cv-1789, 2008 WL 1787322, at *2
16 (S.D. Cal. Apr. 15, 2008) (dismissing habeas action as moot after petitioner is transferred out of
17 immigration custody into the custody of the U.S. Marshals Service) (internal quotation marks
18 and citation omitted). Accordingly, now that Doganyan is no longer in DHS custody due, his
19 TRO motion and habeas petition are moot.

20 Accordingly, Federal Respondents respectfully request that the TRO motion be denied
21 and the habeas petition be dismissed as moot. *Foster v. Carson*, 346 F.3d 742, 745 (9th Cir.
22 2003) (court lacks jurisdiction to hear claims that are moot).

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1 DATED this 18th day of August, 2025.

2 Respectfully submitted,

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