

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' RETURN
AND MOTION TO DISMISS

Noted for Consideration:
September 16, 2025

I. INTRODUCTION

This Court should deny Petitioner Oganeg Doganyan's Petition for Writ of Habeas Corpus (Dkt. No. 1) as moot. Doganyan brought this habeas litigation seeking his immediate release from United States Immigration and Customs Enforcement ("ICE") custody at the Northwest ICE Processing Center ("NWIPC") in Tacoma, Washington. Pet., ¶ 10. In the Petition, he alleges that his prolonged immigration detention violates due process as he believes that NWIPC "is not capable of treating" his medical conditions and that "the conduct of ICE and ICE's agents at [NWIPC] . . . indicate a deliberate, and ongoing indifference to his serious medical needs." Pet., ¶¶ 5, 8. While Federal Respondents deny Doganyan's allegations in the

1 Petition, there is no longer a case or controversy before this Court. Doganyan is no longer in
2 ICE custody at the NWIPC and no longer receiving medical care at the NWIPC.

3 Accordingly, this Court should dismiss this habeas petition in its entirety.

4 **II. FACTUAL BACKGROUND**

5 Doganyan is a native of the Armenian province of the former Union of the Soviet
6 Socialist Republic and a citizen of Armenia. Dkt No. 13, Mercado Decl., ¶ 3. He was admitted
7 to the United States in 1990 and was later recognized as a lawful permanent resident. *Id.*

8 In 2018, Doganyan was convicted of Mail Fraud, Aiding and Abetting and Causing an
9 Act to be Done and Conspiracy to Commit Money Laundering, in violation of 18 U.S.C. § 1341,
10 18 U.S.C. 2, and 18 U.S.C. § 1956(h). *Id.*, ¶ 4. He was sentenced to 33 months of confinement
11 and ordered to pay restitution of \$1,425,572.47. *Id.*

12 On August 14, 2024, ICE took Doganyan into custody and issued a Notice to Appear,
13 charging him with removal under 8 U.S.C. § 1227(a)(2)(A)(iii). *Id.*, ¶ 5. ICE denied a
14 Doganyan's request for humanitarian parole. *Id.*, ¶ 6. On May 1, 2025, an Immigration Judge
15 ordered Doganyan's removal to Armenia and denied his applications for relief from removal.
16 *Id.*, ¶ 9. Doganyan has appealed his removal order to the Board of Immigration Appeals
17 ("BIA"). *Id.*, ¶ 10.

18 On August 13, 2025, U.S. Marshals took custody of Doganyan in relation to his criminal
19 indictment in the U.S. District Court for the Central District of California, No. 2:21-cr-00548.
20 Dkt. No. 18, Sica Decl., ¶¶ 3-4. As a result, Doganyan is no longer under medical care at the
21 NWIPC or in ICE custody. *Id.*, ¶ 5; Wang Decl., ¶ 5 (stating that Doganyan is no longer under
22 the medical care of ICE Health Service Corps. or at the NWIPC).

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1 **III. ARGUMENT**

2 For a federal court to have jurisdiction, “an actual controversy must exist at all stages of
3 the litigation.” *Biodiversity Legal Foundation v. Badgley*, 309 F.3d 1166, 1173 (9th Cir. 2002).
4 “For a habeas petition to continue to present a live controversy after the petitioner’s release or
5 deportation . . . there must be some remaining ‘collateral consequence’ that may be redressed by
6 success on the petition.” *Abdala v. INS*, 488 F.3d 1061, 1064 (9th Cir. 2007). Here, Doganyan’s
7 habeas petition challenges his detention based on the length of his detention and the medical care
8 that he received at the NWIPC. But he is no longer under medical care at the NWIPC or in ICE
9 custody. Thus, “a favorable judicial decision will not redress any actual injury traceable to”
10 Doganyan. *Hashi v. Chertoff*, No. 07-cv-1789, 2008 WL 1787322, at *2 (S.D. Cal. Apr. 15,
11 2008) (dismissing habeas action as moot after petitioner is transferred out of immigration
12 custody into the custody of the U.S. Marshals Service) (internal quotation marks and citation
13 omitted). Accordingly, Doganyan’s habeas claims are moot.

14 Even though he concedes that he was taken into the custody of the U.S. Marshals,
15 Doganyan argues that the relief he seeks – “a court order requiring his release due to life-
16 threatening medical neglect” – is not moot. Dkt. No. 21, Supp. Br., at 2. He asserts that this
17 Court still has jurisdiction to order relief by claiming that he “has merely been transferred from
18 one custodial authority to another.” *Id.*, at 3. But this skews the nature of his own claims.

19 In the Petition, Doganyan sought release from ICE custody and bases this request on the
20 medical care he received at the NWIPC. He has not been transferred from one ICE facility to
21 another ICE facility; the U.S. Marshals have taken custody of him, and he is in the custody of a
22 completely different agency. Doganyan has not named any collateral consequence concerning
23 his prior ICE detention that this Court may address. In fact, the Petition neither names his
24 current custodian (*Doe v. Garland*, 109 F.4th 1188, 1195 (9th Cir. 2024)) nor provides any

1 allegations concerning his current care. And his suggestion to simply join or substitute the
2 Warden of the Federal Detention Center in SeaTac would not cure the fact that the Petition has
3 no allegations about his care at the Federal Detention Center. *Id.*, at 4. Moreover, substitution
4 under Federal Rule of Civil Procedure 25(d) is not applicable here as that only applies when “a
5 public officer who is a party in an official capacity dies, resigns, or otherwise ceases to hold
6 office while the action is pending.” Fed. R. Civ. Pro. 25(d). And then that officer’s successor is
7 automatically substituted as a party. The Warden of the Federal Detention Center in SeaTac is
8 not a successor to any of the named respondents.

9 As a result, Doganyan’s habeas petition is moot. *Abdala*, 488 F.3d at 1065.
10 Accordingly, Federal Respondents respectfully move to dismiss the habeas petition. *Foster v.*
11 *Carson*, 346 F.3d 742, 745 (9th Cir. 2003) (court lacks jurisdiction to hear claims that are moot).

12 **CONCLUSION**

13 For the foregoing reasons, this Court should deny the Petition and dismiss this habeas
14 matter in its entirety.

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DATED this 11th day of September, 2025.

Respectfully submitted,

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s/ Michelle R. Lambert

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*I certify that this memorandum contains 957 words,
in compliance with the Local Civil Rules.*

Attorneys for Federal Respondents