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10 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

11
12 Paola Amparo GUZMAN ALFARO

Petitioner,

13
14 v.

15 Drew BOSTOCK, et al.

16 Respondents.

Case No.2:25-cv-01706-KKE-BAT

**APPLICATION FOR ISSUANCE
OF ORDER TO SHOW CAUSE**

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18 1. Pursuant to 28 U.S.C. § 2243, Petitioner respectfully requests that this
19 Court “forthwith” issue an order directing Respondents to show cause why the petition
20 for a writ of habeas corpus filed by Petitioner pursuant to 28 U.S.C. § 2241 should not be
21 granted.

22 2. Petitioner challenges her continued detention and denial of her bond for
23 lack of jurisdiction as determined by the immigration judge. Such finding violates the
24

1 plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not
2 apply to individuals like Petitioner who previously entered and are now residing in the
3 United States. Instead, such individuals are subject to a different statute, § 1226(a), that
4 allows for release on conditional parole or bond. That statute expressly applies to people
5 who, like Petitioner, are charged as inadmissible for having entered the United States
6 without inspection. Respondents' new legal interpretation is plainly contrary to the
7 statutory framework and contrary to decades of agency practice applying § 1226(a) to
8 people like Petitioner. *See* Petition for Writ of Habeas Corpus, Dkt. No. 1.

9
10 3. The federal habeas corpus statute provides that “[a] court, justice or judge
11 entering a writ of habeas corpus shall forthwith award the writ or issue an order directing
12 the respondent to show cause why the writ should not be granted, unless it appears from
13 the application that the applicant or person detained is not entitled thereto.” 28 U.S.C. §
14 2243.

15 4. Section 2243 further provides that the writ or order to show cause “shall be
16 returned within three days unless for good cause additional time, not exceeding twenty
17 days, is allowed.”

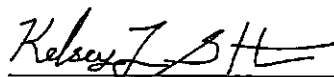
18 5. Section 2243 further provides that the court shall hold a hearing on the writ
19 or order to show cause “not more than five days after the return unless for good cause
20 additional time is allowed.”

21
22 6. In addition, Section 2243 states that the court “shall summarily hear and
23 determine the facts and dispose of the matter as law and justice require.”
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1 7. Pursuant to Section 2243, Petitioner requests that the Court immediately
2 issue an Order to Show Cause directing Respondents to file a return within seven days of
3 the Court's order, showing cause, if any, why the writ of habeas corpus should not be
4 granted, and to provide Petitioner an opportunity to file a reply within seven days after
5 Respondents file the return.

6 8. Giving Respondent additional time to respond is inappropriate in this case
7 because Petitioner faces irreparable harm due to her continued detention under the Board
8 of Immigration Appeals mistaken interpretation of the Immigration and Nationality act.
9 Further, because of the inordinate and unjustifiable delay of the Board of Immigration
10 Appeals in processing bond appeals, she faces the prospect of months, or even years, in
11 immigration custody, separated from their family and community.
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14 DATED: September 15, 2025

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