

District Judge Jamal N. Whitehead

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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 HA THU THI NGUYEN,

11 Petitioner,

12 v.

13 PAMELA BONDI, Attorney General of the
14 United States; KRISTI NOEM, Secretary,
15 United States Department of Homeland
16 Security; CAMMILLA WAMSLEY, Seattle
17 Field Office Director, United States Citizenship
18 and Immigration Services; BRUCE SCOTT,
19 Warden of Immigration Detention Facility; and
20 the United States Immigration and Customs
21 Enforcement,

22 Respondents.

Case No. 2:25-cv-01833-JNW

FEDERAL RESPONDENTS'¹
STATUS UPDATE

19 Pursuant to this Court's Order (Dkt. 7), Federal Respondents notify the Court that
20 Petitioner Ha Thu Thi Nguyen's custody status has changed. Nguyen brings the habeas portion of
21 this litigation pursuant to 28 U.S.C. § 2241 to challenge the lawfulness of her immigration
22 detention and to seek an order directing Respondents not to remove her to a third country. Pet.,
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24 ¹ Respondent Bruce Scott is not a Federal Respondent and is not represented by the U.S. Attorney's Office.

1 pg. 16. She alleges that her ongoing prolonged detention is unlawful as it is not likely to end in
2 the reasonably foreseeable future, and that her country of origin, Vietnam, has historically refused
3 to cooperate with issuing travel documents. Pet., pgs. 13-14. Petitioner further argues that removal
4 to a third country would violate her constitutional rights. *Id.*, pgs. 14-16.

5 The habeas claim in this case is now moot because United States' Immigration and
6 Customs Enforcement ("ICE") removed Nguyen from the United States to Vietnam on November
7 5, 2025. See Declaration Cristhian De Castro, ¶ 3. For a federal court to have jurisdiction, "an
8 actual controversy must exist at all stages of the litigation." *Biodiversity Legal Foundation v.*
9 *Badgley*, 309 F.3d 1166, 1173 (9th Cir. 2002). "For a habeas petition to continue to present a live
10 controversy after the petitioner's release or deportation . . . there must be some remaining
11 'collateral consequence' that may be redressed by success on the petition." *Abdala v. INS*, 488
12 F.3d 1061, 1064 (9th Cir. 2007). Here, Nguyen's habeas claim challenges her detention and
13 removal to a third country, and does not allege any collateral consequence that can be addressed
14 by this Court. Now that Nguyen is no longer in custody due to her removal and since she was
15 removed to Vietnam, her habeas claim is moot. *Abdala*, 488 F.3d at 1065 (describing habeas
16 petitions that claim indefinite detention as fully resolved and rendered moot by the petitioner's
17 release from custody); *Babak v. ICE FOD*, 20-cv-212-RSM-BAT, 2020 WL 1976798, at *1 (W.D.
18 Wash. Mar. 31, 2020) *R&R adopted by* 2020 WL 1974335, at *1 (W.D. Wash. Apr. 24, 2020)
19 (dismissing habeas petition as moot after ICE released petitioner on supervision).

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1 DATED this 12th day of November, 2025.

2 Respectfully submitted,

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