

District Judge Richard A. Jones
Magistrate Judge Grady J. Leupold

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

IVAN RAD,

Petitioner,

v.

PAMELA BONDI, Attorney General of the
United States, *et al.*,

Respondents.

Case No. 2:25-cv-02016-RAJ-GJL

FEDERAL RESPONDENT'S RETURN
AND NOTICE OF CUSTODY STATUS
CHANGE

This Court should deny Petitioner Ivan Rad's habeas petition. He filed the instant habeas petition, dated October 16, 2025, seeking release from immigration detention. Dkt. No. 1. This case is now moot because U.S. Immigration and Customs Enforcement ("ICE") removed Petitioner from the United States on November 17, 2025. *See Carnevale Decl.*, ¶ 3.

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). "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). Here, the habeas petition challenges Petitioner's detention and third country removal and does not allege any

1 collateral consequence that can be addressed by this Court. Pet., Prayer for Relief. Now that
2 Petitioner is no longer in custody due to his removal, his habeas petition is moot. *Abdala*, 488
3 F.3d at 1065 (describing habeas petitions that claim indefinite detention as fully resolved and
4 rendered moot by the petitioner's release from custody); *Babak v. ICE FOD*, 20-cv-212-RSM-
5 BAT, 2020 WL 1976798, at *1 (W.D. Wash. Mar. 31, 2020) *R&R adopted by* 2020 WL 1974335,
6 at *1 (W.D. Wash. Apr. 24, 2020) (dismissing habeas petition as moot after ICE released
7 petitioner on supervision).

8 Accordingly, this Court should dismiss the habeas petition in its entirety. *Foster v.*
9 *Carson*, 346 F.3d 742, 745 (9th Cir. 2003) (court lacks jurisdiction to hear claims that are moot).

10 DATED this 20th day of November, 2025.

11 Respectfully submitted,

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24 *I certify that this memorandum contains 269
words, in compliance with the Local Civil Rules.*