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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Luis Manuel RAMOS Nevarez

Petitioner,

v.

Cammilla WAMSLEY, Seattle Field Office
Director, Enforcement and Removal Operations,
United States Immigration and Customs
Enforcement (ICE); et al.,

Respondents.

Case No. 2:25-cv-02064-RSM

**PETITIONER'S REPLY IN SUPPORT
OF HABEAS PETITION**

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HABEAS PETITION**

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1 **INTRODUCTION**

2 The Respondents failed to justify Mr. Ramos’s re-detention and continued
3 confinement. They argue that Mr. Ramos is subject to mandatory detention and is therefore
4 not entitled to a pre-detention hearing before re-detention. This Court, however, has found
5 otherwise in similarly situated cases. Accordingly, this Court should order Mr. Ramos’s
6 immediate release and enjoin Respondents from detaining him again without a pre-
7 deprivation hearing.

8 **ARGUMENT**

9 **I. Despite being subject to mandatory detention, due process requires a hearing
10 to determine whether re-detention is justified.**

11 Arriving aliens such as Mr. Ramos are subject to mandatory detention when they are
12 detained and subsequently placed in removal proceedings. Once they are released, however,
13 due process requires that they be provided with a hearing before a neutral decisionmaker to
14 determine whether any re-detention is justified and whether the person is a flight risk or
15 danger to the community. When he was released, Mr. Ramos took with him a liberty interest
16 that is fundamentally protected by due process.

17 In *E.A. T.-B.* this court held that a similarly situated petitioner who was detained by
18 Immigration after having been released to seek asylum in removal proceedings was entitled
19 to certain liberty interests despite being subject to mandatory detention. 2025 WL 2402130
20 at 4-5. Those interests are violated when a person is re-detained without due process,
21 namely, a hearing before a neutral decision maker.

22 In footnote 1 of their Return, the Respondents acknowledge the findings of this
23 court in *E.A. T.-B.* and other cases, but state plainly that that they disagree with those
findings.

1 **II. Mr. Ramos is not a danger or a flight risk.**

2 Mr. Ramos fled Mexico after being kidnapped and threatened by a cartel.¹ During his
3 time in the United States he has consistently informed the Immigration Court of his
4 changing address and attended all hearings. He moved to Beaverton, Oregon about a month
5 and a half after his arrival in 2021 and has lived in the community ever since. He hired prior
6 counsel to help with his asylum application and has every intention of moving forward with
7 that claim.

8 Mr. Ramos was about 12-13 meters away from his front door when officers in
9 unmarked cars approached. Men in plain clothes ran after him and his first instinct was to
10 run back to his front door. The officers did not identify themselves or indicate that they had
11 a warrant. They tackled him to the ground and later admitted they had arrested the wrong
12 person.

13 Mr. Ramos has diligently pursued his asylum claim and there is no evidence or
14 reason to believe he is a flight risk or danger to his community. He respectfully requests,
15 therefore, that this Court order his immediate release and enjoin Respondents from re-
16 detaining him without notice and a meaningful opportunity to be heard.

17 Respectfully Submitted this October 22, 2025.

18 s/ Stephen C. Robbins
19 Stephen Robbins, WSBA No. 53398
20 stephen@robbsimmigration.com
21
22

23 ¹ Mr. Ramos denies having told Border Patrol that he was a “trained hitman” for the [REDACTED] and he denies having
ever been a member or in any way associated with a cartel or gang of any kind as alleged in the Declaration of [REDACTED]
[REDACTED] at ¶ 8.