

District Judge Jamal N. Whitehead
Magistrate Judge S. Kate Vaughan

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

TROUNG VAN LE,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

Case No. 2:25-cv-02084-JNW-SKV

RESPONDENT’S MOTION TO
DISMISS FOR MOOTNESS AND
NOTICE OF CHANGE IN CUSTODY
STATUS

Noted for Consideration on:
December 10, 2025

Federal Respondents respectfully move to dismiss this habeas petition for mootness. Petitioner Troung Van Le filed the instant habeas petition. Dkt. No. 1. This case is now moot because U.S. Immigration and Customs Enforcement (“ICE”) removed Van Le to Vietnam on November 5, 2025. *See* Declaration of William Adams ¶ 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

1 success on the petition.” *Abdala v. INS*, 488 F.3d 1061, 1064 (9th Cir. 2007). Here, Van Le’s
2 habeas petition challenges his detention, requests that an order directing that he not be removed
3 to a third country, and does not allege any collateral consequence that can be addressed by this
4 Court. Pet., at 17 (Relief Requested). Now that Van Le is no longer in custody due to his removal
5 to Vietnam (not a third country), his habeas petition is now moot. *Abdala*, 488 F.3d at 1065
6 (describing habeas petitions that claim indefinite detention as fully resolved and rendered moot
7 by the petitioner’s release from custody); *Babak v. ICE FOD*, 20-cv-212-RSM-BAT, 2020 WL
8 1976798, at *1 (W.D. Wash. Mar. 31, 2020) *R&R adopted by* 2020 WL 1974335, at *1 (W.D.
9 Wash. Apr. 24, 2020) (dismissing habeas petition as moot after ICE released petitioner on
10 supervision).

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

13 DATED this 12th day of November, 2025.

14 Respectfully submitted,

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I certify that this memorandum contains 286 words,
in compliance with the Local Rules.