

**DETAINED**

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

BINYAMIN TZAFIR,

*Petitioner,*

v.

PAMELA BONDI, United States Attorney  
General;  
KRISTI NOEM, Secretary of U.S.  
Department of Homeland Security;  
TODD LYONS, Acting Director, U.S.  
Immigration and Customs Enforcement;  
CAMMILLA WAMSLEY, Field Office  
Director, ICE Seattle Field Office;  
BRUCE SCOTT, Warden, Northwest ICE  
Processing Center;

*Respondents.*

Case No.:

PETITION FOR WRIT OF HABEAS  
CORPUS PURSUANT TO  
28 U.S.C. § 2241

Agency File Number: 078-646-000

**PETITION FOR WRIT OF HABEAS CORPUS**

**INTRODUCTION**

1. The petitioner, Binyamin Tzafir, is a 57-year-old non-citizen who is currently being held in detention at the Northwest ICE Processing Center (NWIPC) by U.S. Immigration and Citizenship Enforcement (ICE).

PETITION FOR WRIT OF  
HABEAS CORPUS

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(CASE NO.

1           2.     Mr. Tzafir was born in the former Georgian Soviet Socialist Republic within the  
2 USSR. He immigrated to Israel in 1993 and became an Israeli citizen in 1993 or 1994. He lost  
3 his Israeli citizenship a few years later for religious reasons and is now stateless.

4           3.     Mr. Tzafir came to the United States in 1999 with his family and has lived here  
5 ever since. In 2000, he applied for asylum. In 2004, the immigration court denied asylum and  
6 ordered removal.

7           4.     In 2009, following failed appeals, Mr. Tzafir attempted to move back to Israel,  
8 but Israel refused to issue travel documents, so he was not able to leave. Instead, he was placed  
9 under an order of supervision and required to check-in with ICE every year. He consistently  
10 complied for 16 years.

11          5.     On ICE detained Mr. Tzafir's wife, Marina Tzafir, and daughter, Sigal Tzafir, in  
12 Portland, Oregon. It transferred them to the Northwest ICE Processing Center in Tacoma later  
13 that day. They have been in detention ever since.

14          6.     Also on August 14, 2025, ICE put an ankle monitor on Mr. Tzafir. ICE did not  
15 detain him, likely because he has a variety of medical conditions that have left him disabled and  
16 unable to work for nearly 10 years. ICE told Mr. Tzafir to report back two weeks later, with a  
17 copy of his medical records and a list of his medications.

18          7.     Two weeks later, Mr. Tzafir reported to ICE with the required medical  
19 documents, and also with his attorney and an Application for a Stay of Deportation or Removal  
20 (I-246). ICE neither accepted nor denied the I-246, but instead told Mr. Tzafir to submit it with  
21 additional proof of recent attempts to obtain travel documents from Israel.

1 8. Over the following weeks, Mr. Tzafir and his son-in-law made substantial efforts  
2 to obtain travel documents or to prove that he cannot be removed to Israel, but they were  
3 unsuccessful.

4 9. On the afternoon of October 19, 2025, ICE arrived at Mr. Tzafir's home and  
5 detained him. ICE transferred him to the Northwest ICE Processing Center in Tacoma later that  
6 day. He has been in detention ever since.

7 10. By revoking the order of supervision, the respondents violated Mr. Tzafir's rights  
8 under the Immigration and Nationality Act (INA), its implementing regulations, and the Due  
9 Process Clause of the Fifth Amendment. Their continuing detention of Mr. Tzafir is illegal, and  
10 Mr. Tzafir seeks immediate release.

11  
12 **PARTIES**

13 1. Petitioner Binyamin Tzafir is a non-citizen who is currently detained at the  
14 Northwest ICE Processing Center in Tacoma, Washington.

15 2. Respondent Pamela Bondi is the Attorney General of the United States. She is  
16 sued in her official capacity.

17 3. Respondent Kristi Noem is the Secretary of the Department of Homeland Security  
18 ("DHS"). She is the cabinet-level secretary responsible for all immigration enforcement in the  
19 United States. She is in her official capacity.

20 4. Respondent Todd Lyons is the Acting Director of U.S. Immigration and Customs  
21 Enforcement ("ICE"). He is the head of the federal agency responsible for all immigration  
22 enforcement in the United States. He is sued in his official capacity.



**FACTUAL BACKGROUND**

1  
2 12. Binyamin Tzafir is a 57-year-old non-citizen who is currently detained at the  
3 Northwest ICE Processing Center (NWIPC) by U.S. Immigration and Citizenship Enforcement  
4 (ICE). NWIPC is a privately owned and operated immigration detention facility run by the GEO  
5 Group on behalf of ICE.

6 13. Mr. Tzafir was born in 1968 in the former Georgian Soviet Socialist Republic  
7 within the USSR. He immigrated to Israel in 1993 and married his wife, Marina Tzafir, that same  
8 year.

9 14. When the Soviet Union fell in 1991, Mr. Tzafir lost any claim to citizenship in its  
10 territory. He has never been a citizen of Georgia, Russia, or any other former SSR.

11 15. Mr. Tzafir became an Israeli citizen in 1993 or 1994, but his Israeli citizenship  
12 was revoked for religious reasons before he came to the United States. Mr. Tzafir is now  
13 stateless.

14 16. In 1999, Mr. Tzafir and his family came to the United States on a B-2 Visitor's  
15 Visa. In 2000, they applied for asylum, withholding of removal, and relief under the Convention  
16 Against Torture. The B-2 visa expired while they waited for adjudication.

17 17. On April 23, 2004, the immigration court denied asylum and other relief, and it  
18 ordered the family removed to Israel. The family appealed the decision and later tried to reopen,  
19 but all of their efforts failed.

20 11. By 2009, the family had no more legal options to remain in the United States.  
21 They attempted to return to Israel, but Israel would not issue travel documents because they were  
22 not Israeli citizens.

1           12.     ICE placed Mr. Tzafir on an order of supervision. He has been consistently  
2 checking in with ICE every year for 16 years. He has not had any violations, and he has  
3 maintained her work authorization. Mr. Tzafir also has seven children, four of whom are U.S.  
4 citizens, and he has no criminal record.

5           18.     On August 5, 2025, Mr. Tzafir's wife, Marina Tzafir, checked in as usual with  
6 ICE. Unexpectedly, ICE placed an ankle monitor on her and told her to return to their office on  
7 August 22, 2025.

8           19.     On August 14, 2025—about a week after the ICE check-in and about a week  
9 before the next check-in—ICE detained Marina Tzafir on her way to work. Nothing happened to  
10 precipitate the revocation of her order of supervision. ICE transferred Marina Tzafir to the  
11 Northwest ICE Processing Center in Tacoma later on the day of her arrest. She has been in  
12 detention ever since.

13           13.     Also on August 14, 2025, ICE arrived at the home of the Tzafirs' daughter, Sigal  
14 Tzafir, in Portland, Oregon. ICE told Sigal Tzafir and her family that her mother had been  
15 detained that morning and that if she wanted to see her mother again, she had to go promptly to  
16 the immigration office. When Sigal Tzafir and her family arrived at the ICE office a short time  
17 later, she was detained. ICE transferred her to the Northwest ICE Processing Center in Tacoma  
18 later that day. She has been in detention ever since.

19           14.     The petitioner, Binyamin Tzafir, also went to the ICE office on August 14, 2025.  
20 ICE did not detain him, likely because he has a variety of medical conditions. Instead, ICE put an  
21 ankle monitor on Mr. Tzafir and told him to report back two weeks later, with a copy of his  
22 medical records and a list of his medications.

1 15. Mr. Tzafir has been disabled and unable to work since 2016. He cannot receive  
2 Social Security Disability Insurance (SSDI) because he is not a citizen. He told ICE the details of  
3 his medical conditions, but he prefers to not detail them here for privacy reasons. They are  
4 substantial and involve more than one body system.

5 16. On August 28, 2025, Mr. Tzafir reported to ICE with the required medical  
6 documents, and also with his attorney and an Application for a Stay of Deportation or Removal  
7 (I-246). ICE neither accepted nor denied the I-246, but instead told Mr. Tzafir to submit it with  
8 additional proof of recent attempts to obtain travel documents from Israel.

9 17. Over the following weeks, Mr. Tzafir and his son-in-law made substantial efforts  
10 to obtain travel documents or to prove that he cannot be removed to Israel. Eventually his son-in-  
11 law learned the following:

12 I learned that in order to obtain the official document/certificate, one would have  
13 to fill out an application, and then schedule an in-person appointment at one of the  
14 Consulates of Israel to sign a notarized power of attorney in order to request the  
15 documents from Israel. Once Israel receives the applications, Israel would mail  
16 out the official document/certificate, which could take multiple weeks to months  
17 to receive the official document/certificate.

18 Exh. 2 (Declaration of Haoxing Yu).

19 18. On the afternoon of October 19, 2025, ICE arrived at Mr. Tzafir's home and  
20 detained him. ICE transferred him to the Northwest ICE Processing Center in Tacoma later that  
21 day. He has been in detention ever since.

22 **EXHAUSTION OF ADMINISTRATIVE REMEDIES**

23 20. There are no administrative remedies that can provide the relief the petitioner  
seeks.

1 **IRREPARABLE INJURY**

2 21. Mr. Tzafir has suffered irreparable injury as a result of his detention. He has been  
3 separated from his family and his home. His physical liberty continues to be restrained, in jail-  
4 like conditions, and no just cause for doing so can be specified.

5  
6 **CLAIMS FOR RELIEF**

7 **FIRST CLAIM FOR RELIEF**  
8 **Violation of 8 C.F.R. 241.4(l) and 8 C.F.R. 241.13(i)(3)**

9 22. The petitioner re-alleges and incorporates by reference the allegations set forth in  
10 each of the preceding paragraphs of this Petition.

11 23. The continued detention violates 8 C.F.R. 241.4(l)(1) and 8 C.F.R. 241.13(i)(3),  
12 because Mr. Tzafir was not adequately notified of the reasons for the revocation.

13 24. The continued detention violates 8 C.F.R. 241.4(l)(2) because there exist here  
14 none of the circumstances permitting revocation of supervision, such as failure to comply with  
15 supervision.

16 **SECOND CLAIM FOR RELIEF**  
17 **Violation of 8 U.S.C. 1231(a)**

18 25. The petitioner re-alleges and incorporates by reference the allegations set forth in  
19 each of the preceding paragraphs of this Petition.

20 26. The continued detention violates 8 U.S.C. 1231(a). The 90-day statutory removal  
21 period under 8 U.S.C. 1231(a)(1) began and ended many years ago, and no other provision of 8  
22 U.S.C. 1231(a) justifies detention.

1 27. In addition, the continued detention violates 8 U.S.C. 1231(a) because there is no  
2 significant likelihood of removal in the reasonably foreseeable future. *Zadvydas v. Davis*, 533  
3 U.S. 678, 699 (2001).

4  
5 **THIRD CLAIM FOR RELIEF**  
6 **Violation of Due Process**

7 28. The petitioner re-alleges and incorporates by reference the allegations set forth in  
8 each of the preceding paragraphs of this Petition.

9 29. The continued detention violates the petitioner's right to Due Process under the  
10 Fifth Amendment because the respondents violated their own regulations in revoking the order  
11 of supervision. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

12 30. The continued detention also violates Due Process because it is not reasonably  
13 related to a legitimate government purpose. *Zadvydas*, 533 U.S. at 690. This detention has no  
14 purpose at all.

15  
16 **PRAYER FOR RELIEF**

17 WHEREFORE, Petitioner prays that this Court grant the following relief:

- 18 a. Assume jurisdiction over this matter;
- 19 b. Issue a writ of habeas corpus ordering Respondents to immediately release Mr. Tzafir  
20 from their custody;
- 21 c. Issue an order preventing Respondents from once again taking Mr. Tzafir into custody  
22 unless they have executable travel documents to remove him from the United States and  
23 provide him with a notice and a meaningful hearing before detaining him;
- d. Issue an order providing for an award of attorney's fees and costs; and

1 e. Grant such other relief as may be just and reasonable.

2 Dated: October 28, 2025.

3 /s/ Kelly Vomacka

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