

**DETAINED**

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6 **THE UNITED STATES DISTRICT COURT**  
7 **FOR THE WESTERN DISTRICT OF WASHINGTON**  
8 **SEATTLE, WASHINGTON**

8 LUIS CALDERON,

9 Petitioner,


10 v.

11 KRISTI NOEM, *et al;*,

12 Respondents.  
13

Case No.: 2:25-cv-2136

PETITIONER'S REPLY TO  
RESPONDENT'S RESPONSE TO MOTION  
FOR ORDER TO SHOW CAUSE

Agency File Number: 

14  
15 Petitioner respectfully objects to Respondents' request asking the Court to allow thirty days  
16 from the date of its order to show cause, if issued, to file a return. This Court should use its  
17 discretion to set an expedited briefing schedule in this case as it presents no complex questions.  
18 *See Hernandez Velasquez v. McAleenan*, No. 19-cv-1887, 2019 WL 8017813 (C.D. Cal. Oct. 31,  
19 2019). Petitioner's habeas petition presents no novel issues that this Court has not already decided.  
20 This Court has already summarily decided that Respondents must afford a hearing before a neutral  
21 decisionmaker where Immigration and Customs Enforcement is required to justify the revocation  
22 of release and show that Petitioner now constitutes a flight risk or a danger to the community. *See*  
23

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(CASE NO. 2:25-cv-2136)  
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1 *E.A. T.-B. v. Wamsley*, --- F. Supp. 3d --- No. C25-1192-KKE, 2025 WL 2402130, at \*2–6 (W.D.  
2 Wash. Aug. 19, 2025); *Ramirez Tesara v. Wamsley*, --- F. Supp. 3d ---, No. 2:25-CV-01723-MJP-  
3 TLF, 2025 WL 2637663, at \*2–4 (W.D. Wash. Sept. 12, 2025); *Kumar v. Wamsley*, No. 2:25-CV-  
4 01772-JHC-BAT, 2025 WL 2677089, at \*2–4 (W.D. Wash. Sept. 17, 2025); *Ledesma Gonzalez*  
5 *v. Bostock*, No. 2:25-CV-01404-JNW-GJL, 2025 WL 2841574, at \*7–9 (W.D. Wash. Oct. 7,  
6 2025); Report & Recommendation, *Lopez Reyes v. Wamsley*, No. 2:25-cv-01868-JLR-MLP (W.D.  
7 Wash. Oct. 15, 2025). No such process was provided here, and thus Petitioners’ immediate release  
8 is warranted.

9 Accordingly, Petitioner respectfully renews his request that the Court immediately issue  
10 an order to show cause that ensures prompt resolution of this matter. Notably, the Court has issued  
11 similar orders to show cause in recent weeks. *See, e.g.*, Order, *Lopez Reyes*, No. 2:25-cv-01868-  
12 JLR-MLP (W.D. Wash. Oct. 1, 2025), Dkt. 5 (requiring return to petition within six days); Order,  
13 *Scott v. Wamsley*, No. 2:25-cv-01819-TMC-BAT (W.D. Wash. Sept. 22, 2025), Dkt. 9 (requiring  
14 return to petition within ten days); Order, *Guzman Alfaro v. Bostock*, No. 2:25-cv-01706 (W.D.  
15 Wash. Sept. 16, 2025) (requiring return to petition within seven days); Order, *Toktosunov v.*  
16 *Wamsley*, No. 2:25-cv-01724 (W.D. Wash. Sept. 9, 2025), Dkt. 6 (requiring return to petition  
17 within ten days). It should do the same here.

18 Petitioner is amenable to allowing Respondents additional time to file its return, but given  
19 that Petitioner has already suffered irreparable harm, Petitioner opposes Respondents’ request to  
20 allow for thirty days to file the return. In light of Petitioner’s strong claim for release, the statutory  
21 requirements for habeas proceedings, and the caselaw cited above, Petitioner respectfully requests  
22 that the Court issue an order to show cause which orders that a return from Respondents is due no  
23 more than seven days from the date of its order, if issued.

1 Respectfully submitted this 30th day of October 2025.

2 /s/ Hilary Smith

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