

1 reviewed his application, (3) received supporting identity documentation, (4) confirmed what
2 additional authentication is required, and (5) expressly stated it will issue a travel document once
3 the final certified records are submitted. *See* Declaration of Robert Andron (“Andron Decl.”) ¶¶
4 20-29. These details do not merely reflect activity—they demonstrate that removal is imminent
5 once apostilled records are delivered.

6 This is not a case where ICE has allowed detention to languish, where consular channels
7 have gone dormant, or where there is no identifiable path to repatriation. It is the opposite. ICE is
8 actively executing the steps requested by Moldova, remains in consistent contact with the
9 consulate, and is in the final phase of obtaining the apostille required for issuance of Petitioner’s
10 travel document. Moldova has not declined to accept Petitioner; it has affirmatively indicated it
11 will issue the document needed for repatriation. Under *Zadvydas*, that evidence is more than
12 sufficient to establish a significant likelihood of removal in the reasonably foreseeable future.

13 Petitioner, by contrast, provides no evidence that Moldova is unwilling or unable to finalize
14 travel documentation. He offers speculation, but *Zadvydas* requires more. Petitioner also does not
15 dispute that Moldova has interviewed him, that ICE has worked with his daughter in obtaining
16 documentation, or provide any evidence contradicting ICE’s statements regarding his removal.
17 *Compare* Pet.’s Response with Andron Decl. ¶¶ 24-25. Where the receiving country has
18 interviewed the noncitizen, set document requirements, and committed to issue papers once those
19 requirements are met, removal is not uncertain—it is expected. Further, Petitioner’s argument
20 regarding ICE’s consideration of dangerousness is a red herring; detention under §1231 remains
21 mandatory unless and until there is no significant likelihood of removal in the reasonably
22 foreseeable future, and the only question before the Court is that likelihood.

23 Because the record shows that ICE is not stalled, has not abandoned removal efforts, and
24 is in active, final coordination with Moldova—who has expressly agreed to issue documents upon

1 receipt of final materials—there is a significant likelihood of removal in the reasonably foreseeable
2 future. *See* Andron Decl. ¶ 29.

3 For the foregoing reasons, Federal Respondents respectfully request the Court deny the
4 Petition.

5 DATED this 28th day of November, 2025.

6 Respectfully submitted,

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20 I certify that this memorandum contains 480
21 words, in compliance with the Local Civil Rules.
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