

1 First, both Officer Hubbard and Officer Andron’s declarations state that Revenko is a
2 citizen of Moldova. And while Officer Rodriguez’s declaration at one point says the Moldovan
3 General Consul collected forms and information from Revenko in order for him to “obtain”
4 citizenship there, later in the same paragraph, he explains the information is needed for Moldova
5 to “*recognize*” Revenko’s citizenship. This nitpicking over word choice cannot justify discovery
6 in a straightforward habeas matter, particularly where, crucially, all three declarations set out in
7 detail facts showing that the Moldovan Consulate is actively working with ICE on issuing a travel
8 document for Revenko.

9 Second, Officer Rodriguez’s declaration does not “clarif[y] that . . . ICE had not even filed
10 an application for Moldovan citizenship” in May 2025. Dkt. 12 at 7. It says nothing of the sort.
11 Rather, again, it sets out detailed, concrete facts showing that ICE was actively working with the
12 Moldovan Consulate to deliver any documents and information it needs to issue Revenko’s travel
13 document.

14 Third, Revenko’s unfounded claim that the timeline in Officer Andron’s declaration
15 contradicts that in Officer Hubbard’s must be based on a mistaken reading, because it is simply
16 not true. In fact, the relevant paragraphs in the two declarations are *identical*. Compare Hubbard
17 Decl., ¶¶ 12-17 with Andron Decl., ¶¶ 13-18.

18 Similarly, Revenko’s motion makes much of the fact that Officer Hubbard’s declaration,
19 signed on May 8, 2025, states that “as of May 6, 2025,” the Moldovan Consulate had indicated it
20 would issue a travel document for Revenko, while Officer Andron’s declaration does not mention
21 that specific date. But that is not a contradiction. In fact, Officer Andron’s declaration states that
22 ERO reached out to the Moldovan Consulate on May 23, 2025, regarding “the *forthcoming* TD
23 packet”—indicating, consistent with Officer Hubbard’s declaration, that the Consulate was already
24 working on a travel document before that date. And while it is true that Rodriguez’s and Andron’s

1 declarations identify different dates on which Moldova first asked for Revenko’s criminal records
2 to be apostilled—July 3 versus July 28, 2025—Revenko makes no showing that this difference is
3 material, given that both declarations show ICE and the Moldovan Consulate were in active
4 communication throughout this period regarding getting a travel document for Revenko.

5 Fourth, Revenko argues that Officer Andron “does not defend” Officer Hubbard’s “two-
6 month prediction” and suggests that “prediction” was not true. But Officer Hubbard never
7 predicted that a travel document would be issued within two months. Rather, he specifically stated
8 that in his experience, the process “can sometimes take *in excess* of 1 to 2 months *or more*.”
9 Hubbard Decl., ¶ 21 (emphasis added). Again, Revenko is inventing discrepancies that do not
10 exist.

11 In sum, this is a straightforward post-removal order habeas action. Revenko fails to
12 demonstrate that this Court would require any further evidence to determine whether there is a
13 significant likelihood of Revenko’s removal in the reasonably foreseeable future. There is no
14 dispute that Moldova is actively working on issuing a travel document for Revenko. Discovery is
15 allowed in habeas cases only in rare circumstances. This instance does not fit such a circumstance.

16 **2. Petitioner’s Requests are vague, overbroad, disproportionate to the needs of the case,**
17 **irrelevant to the determinative issues, and unsupported by law.**

18 The motion is independently defective because it is impermissibly vague and overbroad.
19 Petitioner’s expansive discovery request is also disproportionate, irrelevant to the determinative
20 issues, and unsupported by law. Petitioner seeks a large volume of documents relating to “records
21 of all communications with the Moldovan government about efforts to remove Mr. Revenko to
22 that country.” Dkt. 12, pg. 8. Petitioner seeks all records *about* communications *and* all
23 communications. Further, Petitioner seeks these records without identifying *how* that request
24 would materially assist the Court’s review or illuminate issues not already addressed in the existing

1 declarations and filings. A habeas petition is not a vehicle for generalized discovery into agency
2 operations. Discovery in habeas proceedings is appropriate only in the rare circumstance where
3 narrowly targeted factual development is indispensable to evaluating the lawfulness of custody.
4 *Rich*, 187 F.3d at 1067–68. No such circumstance exists here.

5 **3. If the Court were to grant Petitioner’s Request—which it should not—then**
6 **Petitioner’s request should be narrowly tailored to order Respondents to submit a**
7 **supplemental declaration with a single document sufficient to show Moldova’s**
8 **agreement to repatriate Petitioner.**

8 Should the Court conclude that some supplementation is warranted, any order should be
9 strictly limited in scope. At most, the Court could require the Government to submit a supplemental
10 declaration attaching the single document reflecting Moldova’s agreement to repatriate Petitioner.
11 No additional document is needed to further evaluate the sole factual question relevant to this
12 habeas petition—namely, the foreseeability of travel document issuance. Ordering broader
13 discovery directed to Petitioner—even if in camera review is performed first—would not assist the
14 Court’s factual analysis, would be unnecessary to resolve the legality of continued detention, and
15 would contravene controlling precedent that restricts habeas discovery to focused, case-specific
16 inquiries.

17 For the foregoing reasons, the Government respectfully requests that the Court deny
18 Revenko’s motion to compel discovery.

19 DATED this 5th day of December, 2025.

20 Respectfully submitted,

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I certify that this memorandum contains 974 words, in compliance with the Local Civil Rules.