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DETAINED

Attorney for Petitioner

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

RICARDO TELLEZ GOMEZ,

Petitioner,

v.

PAMELA BONDI, *et. al.*,

Respondents.

Case No.: 2:25-cv-2248-RSM

**PETITIONER'S REPLY TO
RESPONDENT'S RETURN
MEMORANDUM**

Respondents' return confirms Petitioner's entitlement to relief as a Bond Denial Class Member under the declaratory judgment in *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC, --- F. Supp. 3d ----, 2025 WL 2782499 (W.D. Wash. Sept. 30, 2025). Therefore, this Court should order Petitioner's immediate release upon payment of the bond amount of \$8,000 found in the alternate order by the Immigration Judge. *See* Dkt. 1-2, at 3-4.

Petitioner also reasserts his request in the prayer for relief that this Court enjoin Respondents from placing a GPS ankle monito on Petitioner upon his release, absent clear and convincing evidence that Petitioner is a flight risk or a danger to the community and that no other alternatives would mitigate those risks. *See* Dkt. 1, at 14. In her order and at the hearing, the Immigration Judge

1 did not make any finding that the Petitioner was a flight risk when giving the alternate order. *See*
 2 Dkt. 1-2, at 3-4. ICE lacks the authority to impose ankle monitoring on an individual when an
 3 Immigration Judge has determined that the person poses neither a flight risk nor a danger to the
 4 community and has ordered release on bond. Such action contradicts the Immigration Judge's
 5 judicial determination. The order indicates "OTHER" options of release which includes "Any
 6 conditions ICE deems necessary." *Id.* In Petitioner's order, that option is not selected. *Id.* The
 7 alternative order authorizes release upon the payment of \$8,000 and nothing else. *Id.* There is no
 8 statutory framework that provides ICE with the authority to impose additional restrictions that are
 9 inconsistent with the Immigration Judge's determination. *See* 8 U.S.C. § 1226.

10 For the foregoing reasons, Petitioner respectfully requests that the Court grant his habeas
 11 petition and order his immediate release upon the payment of the bond amount of \$8,000 as found
 12 in the alternate order by the Immigration Judge. Petitioner also request that this Court enjoin
 13 Respondents from placing a GPS ankle monitor on Petitioner upon his release, absent clear and
 14 convincing evidence that Petitioner is a flight risk or a danger to the community and that no other
 15 alternatives would mitigate those risks.

16 Dated: November 20, 2025.

17 /s/ Hilary Smith

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23 *I certify that this memorandum contains 352 words, in compliance with the Local Civil Rules.*