

District Judge Robert S. Lasnik
Chief Magistrate Judge Theresa L. Fricke

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

REY ENRIQUE DIAZ DE ARMAS,

Petitioner,

v.

KRISTI NOEM, *et al.*,

Respondents.

Case No. 2:25-cv-02250-RSL-TLF

FEDERAL RESPONDENT'S
RETURN AND NOTICE OF
CUSTODY STATUS CHANGE

Noted for Consideration:
December 1, 2025

This Court should deny Petitioner Rey Enrique Diaz de Armas' habeas petition. Petitioner filed the instant habeas petition, dated November 11, 2025, seeking release from immigration detention. Dkt. No. 1. This case is now moot because U.S. Citizenship and Immigration Services ("USCIS") approved Petitioner's I-485 Application to Register Permanent Residence or Adjust Status on November 15, 2025, and Petitioner was thereafter released from custody as of November 18, 2025. *See* Declaration of Katherine G. Collins, Exh. A (USCIS Approval Notice); Exh. B (NWIPC Subject Departures from 11/17/2025).

For a federal court to have jurisdiction, "an actual controversy must exist at all stages of the litigation." *Biodiversity Legal Foundation v. Badgley*, 309 F.3d 1166, 1173 (9th Cir. 2002).

"For a habeas petition to continue to present a live controversy after the petitioner's release or

1 deportation . . . there must be some remaining ‘collateral consequence’ that may be redressed by
2 success on the petition.” *Abdala v. INS*, 488 F.3d 1061, 1064 (9th Cir. 2007). Here, the habeas
3 petition challenges Petitioner’s detention and does not allege any collateral consequence that can
4 be addressed by this Court. Pet., Prayer for Relief. Now that Petitioner is no longer in custody
5 due to his approved I-485, his habeas petition is moot. *Abdala*, 488 F.3d at 1065 (describing
6 habeas petitions that claim indefinite detention as fully resolved and rendered moot by the
7 petitioner’s release from custody); *Babak v. ICE FOD*, 20-cv-212-RSM-BAT, 2020 WL
8 1976798, at *1 (W.D. Wash. Mar. 31, 2020) *R&R adopted by* 2020 WL 1974335, at *1 (W.D.
9 Wash. Apr. 24, 2020) (dismissing habeas petition as moot after ICE released petitioner on
10 supervision).

11 Accordingly, this Court should dismiss the habeas petition in its entirety. *Foster v. Carson*,
12 346 F.3d 742, 745 (9th Cir. 2003) (court lacks jurisdiction to hear claims that are moot).

13 DATED this 24th day of November, 2025

14 Respectfully submitted,

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*I certify that this memorandum contains 299
words, in compliance with the Local Civil Rules.*