

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Tan Hoang BUI,

Petitioner,

v.

Bruce SCOTT, *et al.*,

Respondents.

Civil Case No.: 2:25-cv-02268-TMC

PETITIONER'S RESPONSE

Noted for Consideration:
December 4, 2025

Petitioner, Tan Hoang Bui, requests the Court grant his Habeas Petition. Petitioner's detention is indefinite under *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001) as he was previously detained approximately 8.5 months and has been detained an additional 33 days with no travel document having been obtained, and it is unclear whether one has been requested from Vietnam. Petitioner concedes that during the pendency of this case, third country removal is no longer at issue as Respondents' have stipulated they would not remove Mr. Bui to a third country.

Petitioner Bui asserts his re-detention is unlawful and ICE had no legitimate interest in re-detaining him as they could have obtained a travel document prior to taking him back into

PETITIONER'S RESPONSE [CASE NO. 2:25-CV-02268-TMC]- 1

GONZALES GONZALES & GONZALES
1000 SW BROADWAY, STE 2300
PORTLAND, OR 97205

1 custody. Petitioner Bui has continued to comply with ICE's order of supervision prior to his
2 detention, and ICE's efforts to obtain a travel document for him to Vietnam. Dkt. 2 Ex G.
3 Petitioner Bui filled out a form the officer called a travel document at the ICE office on October
4 28, 2025, after he was arrested and put back in ICE custody. Bui Decl., ¶¶ 7-10. It is unclear
5 from the record whether any travel document request has been sent to Vietnam for Mr. Bui. Dkts.
6 8 & 13. Twenty days after being taken into ICE custody, and after the filing of this Habeas
7 Petition, Petitioner was taken to ICE to meet with Officer Strzelczyk on November 18, 2025.
8 Bui Decl., ¶ 13-15. Petitioner Bui was asked to fill out a travel document request and was told he
9 was to bring it back filled out to Officer Strzelczyk on November 20, 2025. *Id.* at ¶ 16. Petitioner
10 Bui was never called back on November 20, 2025 to provide that documentation to Officer
11 Strzelczyk, and has not been called back to ICE since November 18, 2025. *Id.* at ¶ 21-22. Mr.
12 Bui had filled out the documentation as requested. *Id.* Mr. Bui has now been re-detained for 33
13 days with no travel document having been issued by Vietnam.

14 On November 18, 2025, Petitioner Bui was also provided additional documentation from
15 ICE Officer Strzelczyk. *Id.* at ¶¶ 18-19. He was provided a "Notice of Revocation of Release"
16 that was digitally signed by Jesse D. Gonzales with a date of October 30, 2025 at 11:16:23 am.
17 *Exhibit H.* The caption indicates Officer Gonzalez may be been at the Portland Field Office, but
18 undersigned counsel is not clear as to where Officer Gonzalez may have digitally signed the
19 document or which ICE office the officer is located at. This document was digitally signed two
20 days after Petitioner Bui was taken into custody. It was not provided to Petitioner Bui until
21 November 18, 2025 in Tacoma, Washington at 4:40pm by Officer Strzelczyk. *Id.* This document
22 contains errors with regard to Petitioner's removal date, stating "On March 31, 2017, you were

1 ordered removed to Vietnam...” *Id.* However, Mr. Bui was ordered removed to Vietnam on
2 October 6, 2000. Exhibit F. Petitioner’s counsel was provided these documents by Petitioner, but
3 is unsure if any other documents exist in ICE’s possession as there is lack of additional
4 information from Respondents. Dkts. 8 & 13. Although Petitioner was orally informed after he
5 was in custody his Order of Supervision was revoked on October 28, 2025 and it was revoked
6 due to a change in the administration, he was not provided a document at that time, nor was he
7 provided a pre-deprivation notice and hearing before re-detaining him. Bui Decl., ¶ 11. A
8 change in administration is not a valid enumerated reason under the regulations to revoke
9 conditions for release. *See* 8 C.F.R. § 241.13(i)(2). The Notice provided to Petitioner Bui on
10 November 18, 2025 digitally signed on October 30, 2025 indicates he will be afforded ed an
11 informal interview where he would be given the opportunity to response to reasons for the
12 revocation. Exhibit H. No such interview has occurred since October 30, 2025. The notice does,
13 however, note “there are changed circumstances in your case.” *Id.* However, the Notice does not
14 indicate what the changed circumstances are.

15 Respondents violated regulations for revoking Petitioner’s conditions of release. Now,
16 Mr. Bui has been detained 33 days since his re-detention with no travel document having been
17 obtained from Vietnam, and it is unclear whether one has been requested at all. Petitioners’
18 removal is not significantly likely to occur in the reasonably foreseeable future. ICE has not
19 contacted Mr. Bui to provide the additional documents requested on November 18, 2025, though
20 Mr. Bui has them completed. Mr. Bui believes he has shown his detention is unlawful under
21 *Zadvydas v. Davis*, 533 U.S. 678, 701 (2001).

1 Lastly, for notice to the Court Petitioner Bui has filed three motions which were received
2 by the West Los Angeles Immigration Court on November 21, 2025. Through counsel, he filed
3 a Motion for Emergency Stay of Removal, a Motion to Reconsider his removal order, and a
4 Motion to Terminate his removal proceedings. Mr. Bui has asserted by Motions to the
5 Immigration Court that his underlying charge of removability should not have been sustained as
6 charged, and as such, he should not have been found removable on October 6, 2000. Those three
7 motions remain pending before the West Los Angeles Immigration Court.

8 For the above reasons, the Court should grant Tan Hoang BUI's Habeas Petition.
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11 RESPECTFULLY SUBMITTED this 1st of December, 2025.

12 By: /s/ Jeffrey C. Gonzales
13 Jeffrey C. Gonzales (WA State Bar No. 13864)
14 Gonzales Gonzales & Gonzales
15 1000 SW Broadway, Ste 2300
16 Portland, OR 97205
17 Phone: 503-274-1680
Fax: 503-274-1214

18 **ATTORNEYS FOR PETITIONER**

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20 *I certify that this memorandum contains 886 words,
21 in compliance with the Local Civil Rules.*
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