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25-CV-02339

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

AT TACOMA

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CLERK U.S. DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT TACOMA	
BY	DEPUTY

MUHAMMAD ZAHID

CHAUDHRY,

Petitioner,

v.

BRUCE SCOTT, Warden, Northwest

ICE Processing Center (NWIPC),

in his official capacity,

Respondent.

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DETAINED

Case No. 2:25-cv-02339-DGE-MLP

AMENDED PETITION FOR WRIT

OF HABEAS CORPUS UNDER 28

U.S.C. § 2241

Petitioner, **Muhammad Zahid Chaudhry** (A# ) respectfully submits

this **Amended Petition for Writ of Habeas Corpus** pursuant to 28 U.S.C. § 2241,

naming the proper respondent as ordered by this Court on November 25, 2025

(Dkt. 11). Petitioner is presently detained at the **Northwest ICE Processing**

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25-CV-02339

~~Center (NWIPC) in Tacoma, Washington, under the custody and control of~~

Warden Bruce Scott, who is therefore the correct respondent under *Rumsfeld v.*

Padilla, 542 U.S. 426 (2004).

This Petition incorporates by reference all prior filings, declarations, and exhibits already submitted to this Court, including but not limited to:

- Petitioner's **Emergency Motion for Release Pending Decision** filed in the Ninth Circuit, transferred to this Court (Dkt. 1-1);
- Petitioner's **Reply and Supplemental Evidentiary Submission** filed November 24, 2025;
- The Declarations of **Micaela Elys Romero, Muhammad Zahid Chaudhry, and Melissa Chaudhry**;
- All exhibits attached to the Emergency Motion and the November 24, 2025 filing, including medical records, military service documents, expert statements, children's birth certificates, marriage certificate, letters of support, legislative statements, and sponsor letters.

These materials, already on file, constitute the evidentiary basis of this Petition.

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25-CV-02339

I. JURISDICTION AND VENUE

This Court has jurisdiction under **28 U.S.C. § 2241(c)(3)** because Petitioner is "in custody in violation of the Constitution or laws or treaties of the United States."

Venue is proper in the Western District of Washington because Petitioner is confined at the Northwest ICE Processing Center in Tacoma, Washington, within this District.

II. PRO SE STATEMENT

Petitioner proceeds **pro se**, without the assistance of counsel. As a detained litigant, Petitioner has no access to the internet, no access to PACER, and no ability to send or receive electronic filings. All filings, responses, and court orders are received only through delayed postal mail or through limited hard-copy distribution inside the detention facility.

Petitioner therefore respectfully requests that this Court construe his pleadings liberally and focus on the substance of his claims rather than technical imperfections, consistent with *Haines v. Kerner*, 404 U.S. 519 (1972), *Boag v. MacDougall*, 454 U.S. 364 (1982), and *Platsky v. CIA*, 953 F.2d 26 (2d Cir. 1991).

A#




25-CV-02339

Petitioner has made every effort to present this Petition faithfully, accurately, and in good faith under the severe constraints of detention.

III. PARTIES

Petitioner:

Muhammad Zahid Chaudhry, A# , a decorated and 100% service-connected disabled U.S. Army veteran, lawful permanent resident, husband, and father of two U.S. citizen children.

Respondent:

Warden Bruce Scott, Northwest ICE Processing Center (NWIPC), 1623 East J Street, Tacoma, WA 98421. The Warden is Petitioner's immediate custodian and the proper respondent under *Padilla*.

IV. CUSTODY STATEMENT

Petitioner is currently detained by U.S. Immigration and Customs Enforcement (ICE) at NWIPC. His detention began on August 21, 2025, when ICE seized him at

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25-CV-02339

a USCIS naturalization interview, despite an active Ninth Circuit stay of removal and ongoing appellate jurisdiction.

Petitioner's detention has now extended more than three months and has resulted in catastrophic medical interruption, deterioration, and risk of irreversible harm.

Petitioner seeks immediate release from custody so that he may obtain urgently needed, life-preserving medical treatment and return to his family.

V. FACTUAL BACKGROUND

A. Petitioner's Military Service and Disabilities

Petitioner is an honorably discharged U.S. Army veteran with a **100% service-connected disability rating**. His medical conditions include:

- **Thyroid Eye Disease (TED)** requiring tightly coordinated infusions every 3 weeks;
- **Traumatic Brain Injury (TBI)** and chronic neurological impairments;
- Severe migraines, chronic pain, hearing loss, and multiple service-connected disorders.

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25-CV-02339

His treating physician, **Dr. Jason Lewis**, Chief Ophthalmologic Surgeon at Madigan Army Medical Center, confirms that gaps in TED treatment risk **irreversible vision loss, orbital inflammation, optic nerve compression, and permanent blindness.**

B. ICE's Constructive Denial of Medical Care

Since August 2025, ICE has failed to provide Petitioner with:

- Scheduled Tepezza infusions;
- Required endocrinology, ophthalmology, audiology, and infusion medicine pre- and post-infusion appointments required for safe administration;
- Treatment continuity mandated under ICE's own National Detention Standards.

As documented in Petitioner's filings and medical records, Petitioner has already experienced:

- **Severe relapse of eye disease;**
- **Worsening swelling, pain, and visual distortion;**
- **Double vision, color distortion, and visual spots consistent with optic nerve compromise;**



- Significant TBI exacerbation due to 24/7 lights, noise, sleep disruption, stress, and sensory imbalance in detention.

C. New Harm from Conditions of Confinement

Petitioner was held in continuous bright-light isolation for six days—conditions known to worsen TBI, disrupt neuroimmune regulation, and escalate neurological deterioration. NWIPC lacks the clinical capacity to mitigate or reverse this harm.

D. Petitioner's Family and Community Ties

Petitioner has lived in Washington State for 25 years. He is married to a U.S. citizen and is the father of two infants, ages 2½ and 11 months, both of whom are experiencing profound psychological and developmental harm from his absence.

Petitioner has never broken a U.S. law and is not a danger or flight risk. He has attended every court hearing for more than two decades.

VI. CLAIMS FOR RELIEF

Claim 1 — Unlawful Civil Immigration Detention (Due Process)

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25-CV-02339

~~Petitioner's detention violates the Fifth Amendment because:~~

- It lacks a reasonable relation to its purpose (*Zadvydas v. Davis*, 533 U.S. 678 (2001));
- It is punitive, excessive, and medically dangerous;
- ICE has denied constitutionally required continuity of care;
- Petitioner faces imminent, irreparable medical harm.

Claim 2 — Violation of ICE's Mandatory Medical Standards

ICE's failure to provide urgent specialty care violates:

- National Detention Standards 2025;
- PBNDS 2011;
- Statutory duties to ensure access to necessary medical treatment.

Claim 3 — Eighth Amendment Analogue (Civil Punishment)

While Petitioner is in civil custody, conditions of confinement that foreseeably result in blindness and neurological harm constitute unconstitutional punishment.

Claim 4 — Substantive Liberty Right to Life-Preserving Medical Care

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25-CV-02339

Petitioner has a right to treatment necessary to prevent permanent disability.

ICE's failure to act is arbitrary and shocks the conscience.

VII. INCORPORATION OF PRIOR FILINGS AND EXHIBITS

Petitioner expressly incorporates by reference the entirety of the following filings and all exhibits attached therein:

A. EMERGENCY MOTION FOR RELEASE PENDING DECISION

Filed in the Ninth Circuit (Nov. 12, 2025), including Exhibits 1–12 listed therein.

B. PETITIONER'S REPLY AND SUPPLEMENTAL EVIDENTIARY SUBMISSION IN SUPPORT OF EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND HABEAS RELIEF

Filed in this Court on November 24, 2025, including Exhibits A–F.

C. Declarations Filed November 24, 2025

- **Declaration of Micaela Romero (Ex. A)**

A#

25-CV-02339

• **Declaration of Muhammad Zahid Chaudhry (Ex. B)**

• **Declaration of Melissa Chaudhry (Ex. C)**

Collectively, the exhibits from both filings include: declarations and affidavits from Petitioner and affected parties, medical records, military service documentation, expert testimony, identity records, children's birth certificates, marriage certificate, letters of support from two U.S. Senators, statements from Washington State legislators, letters from community organizations, and sponsor letters.

All such materials are already before the Court and form the factual and evidentiary foundation of this amended Petition.

VIII. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court:

- 1. Issue an Order to Show Cause** directing Respondent to justify the legality of Petitioner's ongoing detention;
- 2. Grant habeas relief** by ordering Petitioner's immediate release on recognizance or to the supervision of his U.S. citizen family;

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25-CV-02339

3. **Alternatively**, and only if immediate release is denied, set an expedited hearing;

4. **Grant such further relief** as this Court deems just and proper.

A Motion for Temporary Restraining Order is being filed concurrently, consistent with this Court's Order (Dkt. 11).

Respectfully submitted,

/s/ Muhammad Chaudhry

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1623 E. J St

Tacoma, WA 98421

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25-CV-02339

CERTIFICATE OF SERVICE

I hereby certify that on **November 24, 2025**, I caused to be served a true and correct copy of the **Amended Petition for Writ of Habeas Corpus, the Motion for Temporary Restraining Order, the Proposed Order**, and all accompanying documents on the following recipients:

1. By U.S. Postal Service – Certified Mail

Alanna T. Duong

U.S. Department of Justice

Office of Immigration Litigation – District Court Section

P.O. Box 878

Ben Franklin Station

Washington, D.C. 20044

2. By In-Person Hand Delivery

Bruce Scott, Warden

Northwest ICE Processing Center (NWIPC)

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1623 East J Street

Tacoma, WA 98421

Service on Warden Scott was effected by personally delivering the documents to authorized detention-facility staff at the NWIPC front desk for immediate transmittal to the Warden.

Executed on **November 24, 2025**.

Tacoma, Washington.

/s/ Muhammad Chaudhry



1623 E. J St

Tacoma, WA 98421