



**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.



DETAINED

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

**PETITIONER'S MOTION FOR
TEMPORARY RESTRAINING
ORDER AND IMMEDIATE
RELEASE**

Petitioner **Muhammad Zahid Chaudhry** respectfully moves this Court for a **Temporary Restraining Order (TRO)** ordering his **immediate release** from custody at the Northwest ICE Processing Center (NWIPC). This motion is filed

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25-CV-02339

~~concurrently with Petitioner's Amended Petition for Writ of Habeas Corpus~~

and in direct compliance with this Court's **Order to Show Cause Regarding**

Proper Respondent (Dkt. 11).

Pursuant to *Nken v. Holder*, 556 U.S. 418 (2009), *Leiva-Perez v. Holder*, 640 F.3d

962 (9th Cir. 2011); Fed. R. Civ. P. 65, and this Court's inherent habeas authority

under 28 U.S.C. § 2241, Petitioner seeks emergency relief to prevent **irreversible**

medical harm, including imminent and permanent blindness, and to halt

ongoing constitutional injuries resulting from unlawful detention and denial of

sight-preserving medical care.

I. INTRODUCTION AND COMPLIANCE WITH COURT ORDER

On **November 25, 2025**, this Court issued an Order directing Petitioner to either show cause why the prior petition should not be dismissed for failure to name the proper respondent or file an amended petition naming the correct custodian.

Petitioner has complied fully by filing an **Amended Petition** naming

NWIPC Warden Bruce Scott.

Because the Court explained that the prior TRO motion is now "non-operative" and must be refiled with the amended petition, Petitioner submits this **renewed TRO request**. All prior exhibits, declarations, and filings submitted on **November 24, 2025** remain incorporated by reference and are part of the operative record.

Petitioner proceeds **pro se**, detained, without access to PACER, internet, or electronic filing systems. All filings must be prepared through limited means and mailed through delayed systems. Petitioner respectfully requests liberal construction of this motion consistent with *Haines v. Kerner*, 404 U.S. 519 (1972).

II. LEGAL STANDARD FOR TEMPORARY RESTRAINING ORDER

A TRO is appropriate where the movant demonstrates:

1. **Likelihood of success on the merits** or the presence of **serious legal questions**;
2. **Irreparable harm** in the absence of relief;
3. **A balance of equities** sharply favoring the movant; and
4. Relief is in the **public interest**.



Nken, 556 U.S. at 426; *Leiva-Perez*, 640 F.3d at 965–67.

Emergency release under § 2241 is warranted where detention conditions inflict medically dangerous or unconstitutional harm. See *Zadvydas v. Davis*, 533 U.S. 678 (2001).

III. ARGUMENT

A. Petitioner Is Likely to Succeed on the Merits

The Amended Habeas Petition raises serious constitutional and statutory violations, including:

- Unconstitutional medical neglect and deprivation of life-preserving treatment;
- Punitive civil detention contrary to *Zadvydas*;
- Violation of ICE’s mandatory National Detention Standards;
- Arbitrary denial of continuity of care required by federal regulation;

- Substantive due process violations arising from foreseeable, preventable harm inflicted on a disabled veteran.

These claims easily meet the “serious legal questions” standard of *Leiva-Perez*.

B. Petitioner Is Suffering Irreparable Harm Every Day He Remains in Detention

1. Irreversible vision loss

Petitioner suffers from severe **Thyroid Eye Disease**, which requires infusions every 3 weeks closely coordinated with three other medical specialties. ICE has failed to provide a single infusion in over three months. As confirmed by Dr. Jason Lewis, further delay risks **permanent optic nerve damage and blindness**.

2. Worsening TBI and neurological injury

Petitioner’s initial six days in **24/7 bright-light isolation**, compounded by sensory overload, noise, poor sleep, and stress, have worsened his traumatic brain injury, migraines, cognitive function, and neurological stability. Expert

neuroscientist **Micaela Romero** confirms the predictable neuroinflammatory cascade and escalating harm.

3. Medical conditions that cannot be treated in detention

NWIPC lacks the capacity to provide the four-specialty coordination needed for TED treatment and cannot reverse the deterioration already underway.

4. Family separation constitutes irreparable harm under U.S. law

Petitioner is the father of two U.S. citizen infants. His detention has inflicted profound—and daily—psychological and developmental harm. His sworn declaration and that of Melissa Chaudhry document the heartbreak, attachment disruption, and trauma that civil courts consistently recognize as irreparable.

Irreparable harm is overwhelming and immediate.

C. The Balance of Equities Strongly Favors Release

- Petitioner is a **decorated, wheelchair-bound, 100% disabled U.S. Army veteran.**

- He has **never broken any U.S. law** and has attended every hearing for 25+ years.
- He poses **zero danger** and is medically incapable of flight.
- Continued detention serves **no legitimate governmental interest**.
- Release merely allows Petitioner to resume treatment and return to his U.S. citizen family.

The government suffers **no prejudice** from supervised release; Petitioner has demonstrated twenty years of perfect compliance. His sponsors, on the record, include his wife **Melissa Chaudhry** and his father-in-law, **Dr. Eric Rasmussen, MD, MDM, FACP, US Navy, Ret.**

D. Public Interest Overwhelmingly Supports Immediate Release

Public interest is served by:

- Preventing disability and blindness in a veteran who served this nation;
- Ensuring constitutionally required medical care;
- Demonstrating humane, lawful governance;
- Avoiding waste and abuse of taxpayer funds;

- ~~Preserving family unity;~~
- Upholding federal standards for civil detention.

Statements and letters from **U.S. Senators, Washington State Legislators, and community organizations** confirm broad public support for Petitioner's release.

IV. INCORPORATION OF PRIOR FILINGS AND EXHIBITS

Petitioner incorporates by reference:

- **The Emergency Motion for Release Pending Decision** (Ninth Circuit, Nov. 12, 2025);
- **The Response and Supplemental Evidentiary Submission** filed November 24, 2025;
- The declarations of **Micaela Romero, Muhammad Zahid Chaudhry, and Melissa Chaudhry**;
- All exhibits previously filed (medical records, military service documents, identity documents, children's birth certificates, marriage certificate, letters

of support, legislative statements, community support documents, and sponsor letters).

All previously filed materials are fully incorporated as though set forth herein.

V. REQUEST FOR RELIEF

Petitioner respectfully asks this Court to:

1. **Grant a Temporary Restraining Order** directing Respondent to **immediately release** Petitioner from NWIPC to the care and supervision of his U.S. citizen family;
2. Order Respondent to **file confirmation of release** within 24 hours;
3. Alternatively, set an **expedited hearing** within 48 hours;
4. Grant any further relief the Court deems just and proper.

Respectfully submitted,

/s/ Muhammad Chaudhry

1623 E. J St

Tacoma, WA 98421

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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25-CV-02339

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

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