



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);

LAURA HERMOSILLO, Seattle Field
Office Director, ICE Enforcement and
Removal Operations (ERO);

KRISTI NOEM, Secretary, U.S.
Department of Homeland Security;

PAMELA BONDI, Attorney General of the
United States;

**U.S. DEPARTMENT OF HOMELAND
SECURITY,**

Respondents.



DETAINED

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


MLP

SECOND AMENDED

PETITION FOR WRIT OF

HABEAS CORPUS (28 U.S.C.

§ 2241)

Petitioner **MUHAMMAD ZAHID CHAUDHRY** ()³, detained at
the Northwest ICE Processing Center (NWIPC), respectfully submits this **Second**



Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging the legality, constitutionality, and procedural lawfulness of his detention.

This Petition is submitted together with an Amended Motion for Temporary Restraining Order and Amended Proposed Order; this set replaces and supersedes all prior petitions and related filings to ensure that the Court has a complete, current, and operative record before it.

Petitioner incorporates by reference all exhibits previously filed in this matter, and adds the "Comprehensive Evidentiary Appendix on the Legality of Detention (Sections I–VIII)" - attached with this filing - which is the complete 47-exhibit record recently submitted to the Ninth Circuit and contains the entirety of the evidentiary history of Petitioner's injustice and illegal prejudice suffered at the hands of Respondents and others, going back over twenty years. Petitioner also incorporates by reference the medical evidence and declarations filed on November 24, 2025, and all other supporting materials.

I. INTRODUCTION

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Petitioner challenges his detention as **unlawful, retaliatory, and constitutionally impermissible**, rooted in a long pattern of discriminatory targeting, including early FBI pressure to serve as an informant on his mosque community and subsequent governmental hostility after he refused to betray his community and faith. His detention is **unconstitutional, and violates Fifth Amendment due process protections**, arising from an **illegal warrantless hallway arrest** during a USCIS naturalization interview, executed without notice, without a hearing, and while the Ninth Circuit's stay of removal was active. His detention is further unlawful because:

1. It violates **procedural due process** under *Mathews v. Eldridge*, 424 U.S. 319 (1976).
2. It violates **substantive due process** by exposing Petitioner to foreseeable, imminent harm including **permanent blindness and neurological injury**.
3. It is **arbitrary, discriminatory, and retaliatory**, following 25 years of misconduct, discriminatory surveillance pressures, retaliatory targeting after refusing FBI informant recruitment, forged documents, CARRP discrimination, and contradictory administrative behavior.



4. ~~It violates the limits of civil detention under *Zadvydas v. Davits*, 533 U.S.~~
678 (2001).

5. It mirrors the unconstitutional pattern identified in **Sira-Hurtado v. Hermosillo** (W.D. Wash. Nov. 26, 2025), where the Western District granted habeas relief after a hallway seizure at an immigration courthouse.


Petitioner seeks immediate release, declaratory relief, and all equitable remedies, including damages for wrongful detention, constitutional violations, and irreparable harms inflicted across decades.

II. 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 lies in the Western District of Washington because Petitioner is confined at the Northwest ICE Processing Center in Tacoma.

The jurisdictional bar of 8 U.S.C. § 1252(g) does **not** apply to procedural due-process challenges to detention. See **Sira-Hurtado v. Hermosillo**, No.


C25-2173-KKE (W.D. Wash. Nov. 26, 2025); *Munoz Materano v. Arteta*, 2025 WL 2630826 (S.D.N.Y. 2025); *Hernandez v. Sessions*, 872 F.3d 976 (9th Cir. 2017).

III. PARTIES

Petitioner:

Muhammad Zahid Chaudhry, , a 25-year lawful resident, decorated and disabled U.S. Army veteran, husband to a U.S. citizen, and father of two U.S. citizen children under 3 years old.

Respondents:

1. **Bruce Scott**, Warden, NWIPC — immediate custodian for habeas purposes.
2. **Laura Hermosillo**, Seattle ICE ERO Field Office Director — responsible for detention decisions.
3. **Kristi Noem**, DHS Secretary — final authority over ICE operations.
4. **Pamela Bondi**, Attorney General — oversees immigration enforcement.
5. **U.S. Department of Homeland Security** — responsible for custody, detention policy, and supervision.



IV. PRO SE STATEMENT


Petitioner proceeds **pro se**, detained, without access to PACER or electronic filings. He receives filings only through regular mail or through NWIPC staff. His pleadings must therefore be construed **liberally**, without technical penalty, and evaluated on the substance rather than the form of his constitutional and statutory claims. Court errs if it dismisses pleadings without instruction as to how pleadings may be remediated. *Haines v. Kerner*, 404 U.S. 519 (1972); *Boag v. MacDougall*, 454 U.S. 364 (1982).

V. CUSTODY STATEMENT

Petitioner has been detained at NWIPC since **August 21, 2025**, when ICE seized him at the conclusion of a **USCIS naturalization interview** in the hallway of the Tukwila USCIS office—without notice, without a hearing, and in defiance of an active Ninth Circuit stay of removal.

Petitioner suffers from:

- **Severe Thyroid Eye Disease**, requiring urgent, coordinated infusions every 3 weeks to prevent irreversible blindness;

- 
- Chronic, service-connected **Traumatic Brain Injury (TBI)**;
 - Neurological instability aggravated by GEO's punitive 24/7 lighting;
 - Rapidly worsening visual symptoms risking imminent **permanent blindness**.

Detention has already caused irreparable harm.

VI. GOVERNING LEGAL STANDARDS

This Petition is governed by well-established constitutional and statutory frameworks that collectively prohibit arbitrary, retaliatory, or medically dangerous civil detention. These standards—rooted in procedural due process, substantive due process, habeas jurisdiction, and the limits of civil immigration detention—provide the analytical structure through which the factual record must be evaluated.

A. Procedural Due Process: *Mathews v. Eldridge*, 424 U.S. 319 (1976)

Procedural due process requires individualized safeguards before the Government may deprive a person of liberty. Under *Mathews*, courts balance: (1) the private interests affected; (2) the risk of erroneous deprivation under existing procedures;



and (3) the Government's interest, including fiscal and administrative burdens of additional procedures. Where, as here, a noncitizen is detained without notice, warrant, or hearing, and where a 25-year history reveals forged evidence, discriminatory policies (including CARRP), retaliatory FBI pressures, and inconsistent agency conduct, the *Mathews* factors weigh overwhelmingly in favor of requiring robust procedural protections—and compel a finding of constitutional violation.

B. Substantive Limits on Civil Detention: *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Hamdi v. Rumsfeld*, 542 U.S. 507 (2004)

Civil immigration detention is constitutionally permissible only when it serves a legitimate, non-punitive regulatory purpose and bears a reasonable relation to that purpose. Detention becomes unconstitutional when it is arbitrary, retaliatory, medically dangerous, or untethered to lawful objectives. Under *Zadvydas* and *Hamdi*, detention that foreseeably causes permanent bodily harm—such as irreversible blindness, neurological deterioration, or other life-threatening consequences—violates substantive due process. Detention also violates due

process when predicated on retaliation or discrimination rather than statutory criteria.

C. Habeas Jurisdiction Under 28 U.S.C. § 2241 and *Rumsfeld v. Padilla*, 542 U.S. 426 (2004)

Federal district courts have jurisdiction to consider habeas petitions challenging the legality of executive detention. Under *Padilla*, the proper respondent is the custodian with immediate control over the detainee. Petitioner properly names Warden Bruce Scott and the supervisory officials whose decisions directly caused and continue to sustain the unlawful detention. Challenges to *how* detention was imposed—including lack of notice, absence of hearing, or procedural irregularities—fall squarely within the scope of § 2241 jurisdiction and are not barred by 8 U.S.C. § 1252(g).

D. TRO and Emergency-Relief Standards: *Nken v. Holder*, 556 U.S. 418 (2009); *Leiva-Perez v. Holder*, 640 F.3d 962 (9th Cir. 2011)

Although the TRO itself is filed separately, its legal standard informs this Petition. Under *Nken* and *Leiva-Perez*, courts grant emergency release where a petitioner shows (1) likelihood of success on the merits; (2) irreparable harm; (3) balance of



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equities; and (4) public interest. The merits inquiry depends on satisfaction of the *Mathews*, *Zadvydas*, and *Hamdi* standards; irreparable harm is shown by imminent blindness, neurological decompensation, and severe family separation trauma; and both equities and public interest weigh heavily in favor of releasing a decorated, disabled U.S. Army veteran with deep community ties and two very young children.

Together, these governing doctrines demonstrate that Petitioner's detention must be evaluated through the combined lens of procedural due process, substantive due process, habeas jurisdiction, and emergency-relief principles. When applied to the factual record presented here, these standards compel the conclusion that Petitioner's detention is unlawful and that immediate habeas relief is warranted.

VI. FACTUAL BACKGROUND — 25 YEARS OF IRREGULARITIES, DISCRIMINATION & BAD FAITH

A. Longstanding Lawful Residence & Honorable U.S. Military Service

Petitioner first came to the United States in the late 1990s on valid visas to visit his uncle. He always entered the United States lawfully and has been fully documented



at all times. In 2001, Petitioner met and married Ann McKenzie (a 7th-generation Yakima resident and natural-born US citizen), adjusted status to lawful permanent resident, and enlisted in the Army National Guard in or around March 2001 to support his new family.

After the attacks of September 11, 2001, Petitioner was activated and served on active duty during Operation Iraqi Freedom. Severe service-connected injuries sustained during training led to his medical retirement prior to deployment abroad. His service in the U.S. Army and National Guard resulted in multiple Honorable Discharges (Exhibits 107, 110), military medals (Exhibit 107), and a 100% VA disability rating (Exhibit 109). Petitioner uses a wheelchair that was initially prescribed to him at Madigan Army Hospital and suffers from multiple service-connected medical conditions, including traumatic brain injury.

B. Early FBI Targeting, Informant Pressure, and Retaliation Rooted in Post-9/11 Bias

Petitioner's trajectory through the immigration system cannot be understood without acknowledging a critical but often hidden aspect of the record: **years of pressure from federal law enforcement seeking to recruit Petitioner as an**

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[REDACTED], and the retaliatory consequences that followed his refusal.

Petitioner served in the U.S. Army as a **Mental Health Specialist**—a role that, in military structure, is a precursor to counterintelligence pathways. His exemplary service, multilingual fluency in **nine languages**, and origin from a region of strategic geopolitical interest (bordering Iran, Afghanistan, China, and India) made him a [REDACTED]. His Army recruiter, **Master Sergeant James Blackhart**, repeatedly praised Petitioner as an “*exemplary soldier*” and declared that “*to deny Zahid citizenship would be a crime.*” (See Exhibit 106, Sgt. Blackhart Letter).

As documented in the **Declaration of Ann Chaudhry** (Exhibit 101), [REDACTED]

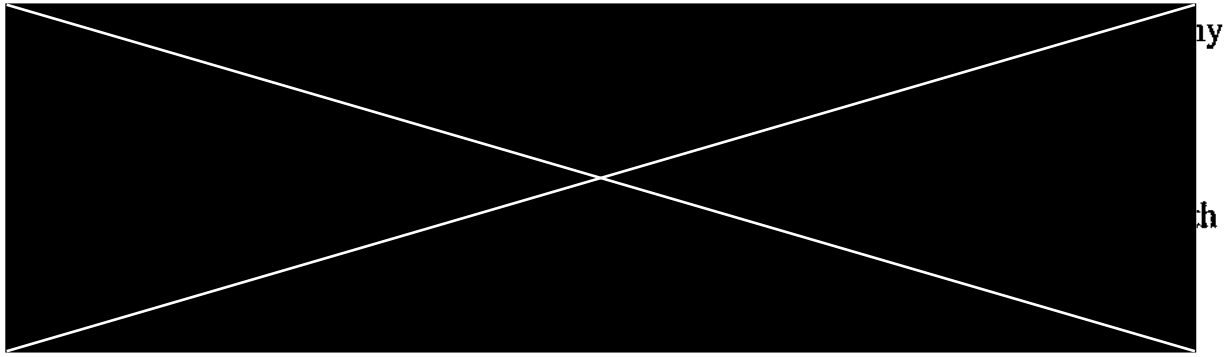
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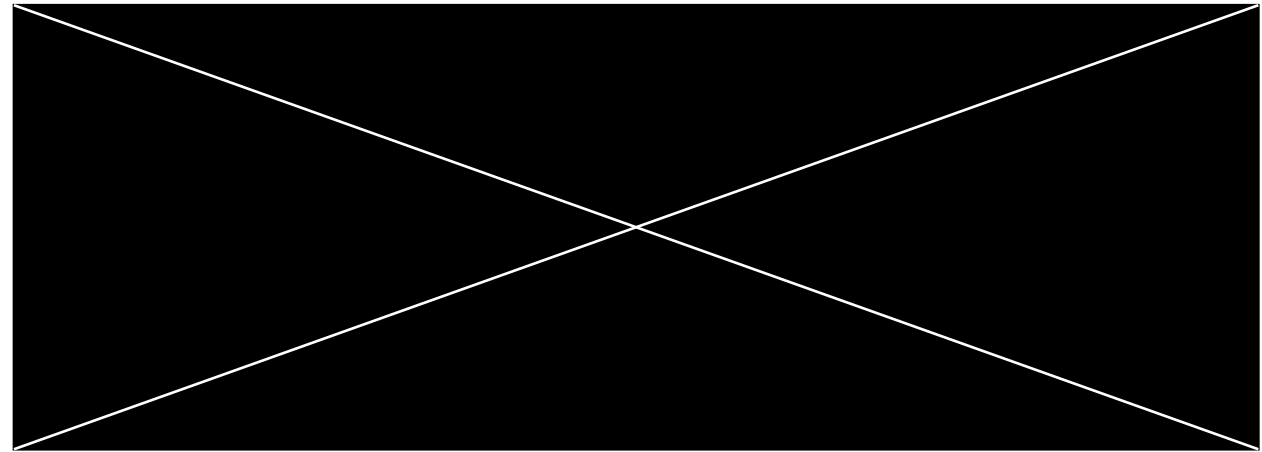
[REDACTED]


[REDACTED]



 his citizenship

would not be granted and that they would *"make his life hell."* (See Exhibit 101).



This credible, contemporaneous account provides the necessary context for understanding the otherwise inexplicable **23-year pattern of delays, obstruction, CARRP targeting, shifting allegations, and discriminatory treatment** Petitioner has endured. Without this history, observers might wrongly assume that the repeated government resistance reflects genuine concerns. With this history, the pattern becomes clear: Petitioner's refusal to  triggered

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retaliatory scrutiny, manufactured suspicion, and institutional hostility that infected every stage of his naturalization and immigration proceedings.

This background is directly relevant to the **Mathews** risk-of-erroneous-deprivation factor and to the constitutional analysis as a whole. It shows a long-standing, unlawful motive behind government conduct toward Petitioner, corroborated by decades of discriminatory policy (CARRP), misrepresentations, entrapment, unlawful conduct, and contradictory agency actions.

C. Naturalization Applications (2002–2025) & CARRP Targeting

Petitioner filed repeated military naturalization applications since 2002. Honorable military service during wartime is well-established to have earned "expedited" naturalization under INA § 329, 8 U.S.C. § 1440, and Executive Order 13269 (July 3, 2002), which designated the post-9/11 period a "period of hostilities" during which qualifying service members are entitled to expedited naturalization.

Petitioner's applications were derailed by the discriminatory USCIS program CARRP (the "Controlled Application Review and Resolution Program"), found unlawful in *Wagafe v. Biden* (W.D. Wash., Dkt 679, Jan 17, 2025). USCIS used CARRP to implement an overbroad "national security" scheme that Congress



declined to authorize *eleven times*. Functionally, CARRP targets law-abiding aspiring Americans who are Muslim or perceived to be Muslim and who have exceptional characteristics, such as leadership capability, military training, computer knowledge, multiple languages - all of which describe Petitioner.

Targeted individuals have their applications to naturalize mysteriously delayed and pretextually denied, frequently relying on unreasonably strict interpretations of "good moral character" requirements (as in Petitioner's case - the 2008 "removal order" cited legal issues that were over a decade old, from another continent, minor at the time, *and* the result of a coerced plea deal at the time, *and* which Petitioner proactively disclosed: classic pretextual denial, according to the ACLU's criteria).

The end goal of CARRP is deportation. Aspiring Americans who have been subjected to CARRP are never advised of this classification and are never given any meaningful opportunity to challenge or address the "concerns" held against them (Exhibit 130-A). It is only through FOIA requests and oblique references in previous immigration proceedings (Exhibit 130-B) that corroborative evidence of Petitioner's CARRP designation has surfaced - but symptomatically, Petitioner's case fits 15 of 19 ACLU-identified CARRP red-flag markers. Legal evidence



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entered in ~~Wagafe v. Biden~~ confirms the existence of CARRP'd applicants who have been forced to wait *over twenty years* for adjudication, having done everything right (Exhibit 130-C).

D. Misconduct by Officials: ICE Counsel Sanchez & Love, Lt. Gary Belles

Former ICE Chief Counsel and Deputy Chief Counsel, **Raphael Sanchez** and **Jonathan Love**, were **criminally convicted** for forging documents and targeting immigrants with high credit scores for deportation for personal gain (committing identity theft against deported immigrants) in their official capacity (Exhibits 127 & 128). These two were intimately, unusually, personally involved in **Petitioner's own case** (Exhibit 129) during the 10+ year litigation before the immigration judge (~2007-2018).

The Government's case against Petitioner relied on faulty testimony from Lt. Gary Belles, who eventually refused to appear in court to defend his position. Lt. Belles was responsible for receiving the *volunteer* police application submitted by Petitioner, on which Petitioner left an ambiguously-worded question about citizenship status blank, but marked all other boxes with neat "x"s. The reviewer left sweeping check marks next to all other questions, including references - and

the box Petitioner had left blank was marked with a check mark, not an X. Expert handwriting analysis (Exhibit 126) confirmed that Petitioner was not the maker of the mark.

Lt. Belles has also been the subject of scandal related to his racist misconduct, including public, verbal disparaging of minorities while in uniform. (Documented in contemporaneous Yakima press accounts, Exhibit 124, 125.)

E. 2018 Immigration Judge Decision, BIA, and Ninth Circuit

Naturally, Petitioner challenged the 2008 pretextual "removal order" in court, asserting his earned right to citizenship as a U.S. Veteran. (Despite many other forms of eligibility - marriage to a U.S. citizen, LPR status for over 5 years, family ties, etc - Petitioner has *only ever* applied for citizenship via Military N-400, relying solely on the highest and most honorable measure of his devotion to the United States.)

After over 10 years of thorough, meticulous litigation - during which Petitioner consistently appeared for *all* court hearings and appointments, despite severe and debilitating injuries and disabilities (and often appeared with a crowd of supporters - see Exhibits 137-144) - the IJ found in favor of Petitioner, affirmed that Petitioner



had legitimate LPR status back to 2001, and granted waivers for *all prior issues*.

The Government falsely promised (verbally, over a phone call with Petitioner) not to appeal, then filed an untimely appeal, and never served Petitioner. Petitioner only discovered their appeal when he arrived at USCIS Tukwila *to take a citizenship oath*.

The BIA erroneously took up said appeal, found 2/3 against Petitioner in a highly unusual complete overturning of the IJ's decision (rather than a partial overturning or remand that would give due respect to the meticulous reasoning of the Immigration Judge who spent over 10 years attentive to the details of the case, Petitioner's conduct, and Government's misconduct). The propriety of that decision to overturn is still the live legal question before the Ninth Circuit Court of Appeals (Exhibit 117, also identifiable by case numbers 21-1160 and 20-70877, consolidated).

At the Ninth Circuit, **Petitioner remains under a stay of removal** pending the resolution of his case.

F. Contradictory Agency Behavior Prior to Arrest

Petitioner filed his Opening Brief before the Ninth Circuit in May 2024.

Respondent - who has unlimited access to government coffers and staff time - filed their Reply Brief in October 2024. Petitioner and wife (by that time, Melissa Chaudhry, see Exhibit 111) welcomed their son on [REDACTED] (Exhibit 112). Petitioner underwent emergency surgery on [REDACTED]. Given the intensities of raising two children under two years old while recovering from surgery, Petitioner requested and was granted extensions of time.

Petitioner filed his Optional Reply Brief with the Ninth Circuit in May 2025, along with a Motion for Summary Judgement asserting that because there is **no dispute as to the material facts of the case** - Petitioner's disabled and honorably-discharged veteran status; lawful and law-abiding 25 years' of permanent residence; husband and fatherhood of American citizens; and decades of hardworking contribution to the civic fabric of the US and Washington State (Exhibits 107-113) - that Petitioner is entitled to judgement (naturalization, etc) as a matter of law.

Meanwhile, Petitioner continued to submit Military N-400s, which USCIS continued to ignore.




~~On August 5th, 2025, the Ninth Circuit made an order in Petitioner's case. The~~
Clerk remanded Petitioner's SJM to the panel for evaluation of the merits (Exhibit
117).

That same day, August 5th, USCIS issued interview notices (Ex. 118) in
response to *some* of Petitioner's pending Military N-400s. This came after years of
ignoring Petitioner's applications. The congruency of timing was markedly
suspicious - so much so that Petitioner's wife, Melissa Chaudhry, put out the call to
Petitioner's supporters to show up in support at Petitioner's naturalization
interview, which USCIS set for 8:00am, August 21, 2025.

G. Illegal Hallway Arrest on August 21, 2025

On the morning of August 21, 2025, Petitioner arrived at USCIS Tukwila in good
faith, with his family and supporters. Despite presenting medical authorization of a
Personal Care Attendant (Exhibit 110) to remain by his side during his
naturalization interview, Director Jonathan Weeks and another official -
presumably USCIS, but not identified, whose hands were shaking badly and *who*
refused three times to give his name - refused to accept that medical authorization
and required Petitioner to undergo his naturalization interview alone.



Melissa Chaudhry was permitted to wheel her husband back behind the alarmed door to the private north wing of that building (second floor). As Director Weeks walked her out, Melissa asked "What guarantee do I have that you'll bring my husband back to me?" The Director responded "That'll depend how the interview goes." He advised her that the interview could take up to two hours. Petitioner's family and supporters fanned out to wait, and to watch the exits.

After two hours, Melissa Chaudhry was called back behind that alarmed door, to a private office with Director Weeks, someone she recalls was Seattle ICE-ERO then-Field Office Director Drew Bostock, and a third man. There, she was told that her husband had been taken into custody at the conclusion of his interview. She asked on what grounds he was taken. She was told that due to "security reasons," they would not tell her.

When Petitioner called her from the Northwest ICE Processing Center, less than fifteen minutes later (note: NWIPC is approximately 30 minutes from USCIS Tukwila), he was in shock. He reported that at the conclusion of his interview, as he exited the office doorway, masked men appeared around him, asked him to confirm his name, waved a paper at him without letting him review it, took control



of his wheelchair and disappeared him - down a different hallway, out a private elevator, into a vehicle with tinted windows, and away. He reported that the vehicle passed within five feet of his father-in-law, Dr. Eric Rasmussen (Exhibit 104), on the street corner, but he was unable to make contact.

He also reported that he had been taken more than an hour before - long before Mrs. Chaudhry was notified. He reported that he had requested to see his wife, and was told "Sure, yeah, we'll take you to her" but never was (Exhibit 120).

Petitioner had appeared at that interview in good faith and was excited at the prospect of coming out a U.S. citizen mere minutes later. Having been active in Washington politics for decades, he knew the civics and English tests would be a breeze. The prospect of such betrayal, while a constant source of stress for his wife, was unimaginable to him.

Mirroring *Sira-Hurtado*, ICE seized Petitioner in a hallway without notice, without hearing, and in violation of a federal appellate stay.

Melissa Chaudhry reached out through Congressman Smith's office to ask ICE for answers (Exhibit 119). ICE reported to the Congressman that USCIS had told them of their intent to deny Petitioner's application(s). However, the N-652 (Exhibit 121)

issued to Petitioner at the conclusion of his interview said no such thing, and mere seconds passed between the conclusion of his interview, and his hallway abduction (Exhibit 120).

Court is advised to note that the N-652 (Exhibit 121) issued to Petitioner at the conclusion of his interview *does not include the name of the USCIS officer who conducted his interview*. Petitioner asked multiple times for his interviewer's name - the same man who refused to honor the personal care attendant/medical accommodation authorization letter (Exhibit 110) - and he refused to answer.

H. Legal & Constitutional Violations of Petitioner's Arrest

This sequence of events—an entrapment-style naturalization interview, the refusal to honor medical accommodation, the masked and warrantless hallway seizure executed without notice or opportunity to be heard, the concealment of the interviewing officer's identity, and the immediate transport of Petitioner in defiance of an active Ninth Circuit stay—constitutes a **paradigmatic violation of both procedural and substantive due process**. No reasonable officer acting within constitutional bounds could interpret these circumstances as lawful.


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~~Petitioner's arrest was not an immigration action in any meaningful legal sense; it~~
was an ambush carried out under the color of authority but devoid of the minimal procedures the Fifth Amendment demands. Under *Mathews v. Eldridge*, the risk of erroneous deprivation arising from such a process-less seizure is intolerable in a constitutional system. Under *Zadvydas v. Davis*, a detention rooted in deception, discrimination, and foreseeable harm to life and bodily integrity is **punitive, arbitrary, and unlawful**. The Court is therefore compelled—both by precedent and by constitutional necessity—to intervene and restore Petitioner's liberty without delay.

I. Medical Deterioration in Detention

At the time of his detention, Petitioner was undergoing coordinated care across four medical specialties - endocrinology, audiology, ophthalmology, and infusion medicine - for his Thyroid Eye Disease, a rare autoimmune condition that causes irreparable damage to the optic nerve and irreversible blindness if left untreated (Exhibit 114, letter from Petitioner's treating physician, Dr. Jason Lewis; Exhibits 115, 116). Detention abruptly cut off all such treatments.



Compounding the harms, Petitioner was initially kept in isolation under 24/7 bright-light - conditions clearly recognized as torture, and prohibited in the treatment of animals in captivity. The declaration of Micaela Romero (filed Nov. 24, 2025, Dkt 10, incorporated by reference) confirms the extensive neurological, immune, and cardiac consequences that inevitably result from such conditions, and emphasizes the greater-than-usual damage inflicted to Petitioner because of his service-connected traumatic brain injury. Melissa Chaudhry's declaration (Exhibit 136) contemporaneously documented Petitioner's suffering in such conditions.

After Petitioner was moved to the "pod," (allowed 5 hours of "dimness" out of 24), the crowded, loud, stressful, conflicted, underfed, sleep-deprived, medically neglected, and arbitrarily punitive conditions of the detention center caused intense exacerbation of his medical conditions - particularly given that a peaceful, patriotic, disabled American veteran never believed it possible that his country could betray him so much as to put him under such conditions. Within weeks, Petitioner's eyesight deteriorated such that he could no longer read the subtitles on the TV. After two months, Petitioner began seeing colored spots in his vision and letters look like Chinese characters. (Sworn in Petitioner's Declaration, filed Nov. 24, 2025, Dkt 10, incorporated here by reference.) These are signs of compression

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to the optic nerve - which cannot be replaced, unlike other forms of blindness - that will be irreversible if left untreated.

Prior to his detention, Petitioner's Tepezza infusion treatments and attendant coordinated care had reduced his clinical activity score from a 4/5 (one step below requiring immediate orbital surgery) to a 1/5 (low-grade activity; normal function almost completely restored).

Since his detention, Petitioner has missed more than 90 days of Tepezza infusions — time-sensitive treatment required to prevent incurable optic-nerve damage and irreversible blindness. Each full course of Tepezza exceeds one million dollars, and severe cases often require two; by interrupting his treatment, ICE is either forcing the U.S. taxpayer to bear the extraordinary cost of restarting a now-escalated medical regimen or exposing itself to substantial liability for permanently disabling a decorated veteran through medical neglect. When Petitioner is free, at home with his family, his insurance covers these costs - and was already doing so for months prior to his detention. Given these circumstances, continued detention is medically dangerous, fiscally irrational, and legally indefensible.

In early October, ICE refused to transport Petitioner to a critical ophthalmology

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appointment—despite full awareness of his condition—citing vague “security concerns” about moving a wheelchair-bound U.S. Army veteran twenty minutes to Madigan Army Medical Center, a position which strains credulity. This refusal violated the ICE Performance-Based National Detention Standards (PBNDS 2011, rev. 2016), Medical Care §4, which requires: “*Detainees shall have access to appropriate and necessary medical, dental, and mental health care, including continuity of care during detention, to protect life and prevent serious harm.*” ICE has ignored more than 30 written medical requests and many verbal appeals, demonstrating a systemic breakdown in required custodial care.

Federal courts, including within this District, hold that PBNDS violations are compelling evidence that civil detention has crossed the constitutional line into punitive confinement. See *Ahn v. Barr*, 2019 WL 6605880, at 6–7 (W.D. Wash. Dec. 5, 2019). Given the irreversible harm already inflicted on Petitioner’s eyesight and neurological stability, *immediate release is the only remedy capable of preventing further irreparable injury.*

J. Legal & Constitutional Failures Consequent to Petitioner's Detention

These failures also strike at the heart of the constitutional frameworks governing

this Court's review. Under *Mathews v. Eldridge*, the Government's refusal to provide necessary medical care—despite repeated pleas—creates an **extraordinarily high risk of erroneous deprivation of liberty**, especially where Petitioner received no notice or hearing prior to detention. When the private interest involves sight, neurological function, and survival, and the Government's procedures collapse entirely, *Mathews* demands a finding of constitutional violation.

Likewise, under *Zadvydas v. Davis*, civil detention becomes unconstitutional where it no longer serves a legitimate regulatory purpose and instead becomes arbitrary, retaliatory, or foreseeably harmful. ICE's sustained failure to provide mandated medical care, coupled with its willingness to expose Petitioner to permanent disability, renders this detention **punitive and conscience-shocking**—precisely the type of unlawful custody the Due Process Clause forbids.

K. Family Harm & Irreparable Trauma

Petitioner's two U.S. citizen children—his daughter, age two and a half, and his son, who will turn one year old on December 1, 2025 (Exhibit 112)—are experiencing well-documented and severe attachment disruption as a direct result

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of their father's sudden disappearance from their daily lives. His daughter repeatedly asks whether the judge has said her Baba can come home yet, demonstrating both acute awareness of the loss and a level of psychological distress far beyond what a child of her age should ever have to carry. His infant son reaches for his father's picture every morning, expecting his father to appear, only to become distressed when he does not. These behaviors reflect the classic markers of early-childhood attachment injury and developmental trauma.


The harms inflicted on these children meet the legal standard for **irreparable harm** under federal jurisprudence, which recognizes that forced family separation causes injuries that are "immediate, severe, and not compensable by monetary damages," and that such trauma is categorically non-remediable once inflicted. See, e.g., *Leiva-Perez v. Holder*, 640 F.3d 962, 969–70 (9th Cir. 2011) (irreparable harm includes disruption to family unity and emotional harm to children); see also *Nken v. Holder*, 556 U.S. 418, 435 (2009) (recognizing the "profound" and "unrecoverable" harms arising from forced separation). Petitioner's wife, a Congressional candidate and primary caregiver, documents in her Declarations (Exhibit 103; also Declaration of Nov. 24, 2025, Dkt 10, incorporated by reference)



the profound emotional, logistical, and functional losses their family has suffered in Petitioner's absence—losses that no degree of post-hoc relief can repair.

VII. Relevance of the Foregoing to Governing Legal Standards

The foregoing factual history is not background for background's sake—it is **legally decisive** under every constitutional and statutory framework that governs this Court's review. These facts establish not merely the context of Petitioner's detention, but the **core constitutional defects** that render the detention unlawful.

First, under *Mathews v. Eldridge*, the Court must evaluate the **risk of erroneous deprivation of liberty** created by the procedures (or lack thereof) used. That risk is not theoretical here—it is overwhelming. The 25-year record reflects a system tainted by **forged documents, unlawful CARRP discrimination, retaliatory targeting following FBI informant pressure, contradictory agency behavior, misrepresentations**, and a pervasive pattern of procedural irregularity. An immigration system operating under such accumulated bias and misconduct is **constitutionally incapable** of reliably determining Petitioner's liberty. Moreover, the **illegal, warrantless hallway seizure** at the USCIS interview—without notice, without hearing, without identification of officers, and in violation of a Ninth


Circuit stay—demonstrates the very procedural collapse that *Mathews* was designed to prevent.

Second, civil immigration detention is constitutional only when it remains reasonable, explicable, and tied to a legitimate regulatory purpose. See *Zadvydas*, 533 U.S. at 690; *Demore*, 538 U.S. at 527; *Hernandez*, 872 F.3d at 990. Where detention becomes arbitrary, punitive, or untethered from its purpose, the Government's authority *shall cease*. The factual record—including early 
, retaliatory threats, CARRP-based obstruction, decades of discriminatory delay, and the timing of the August 21 arrest immediately following a Ninth Circuit order—demonstrates that Petitioner's detention is **arbitrary, retaliatory, and untethered to any permissible statutory purpose**. This violates substantive due process, exceeds the bounds of civil detention, and warrants immediate release.

Third, under binding Ninth Circuit and Western District of Washington precedent—most recently *Sira-Hurtado v. Hermosillo* (W.D. Wash. Nov. 26, 2025)—courts grant habeas relief when detention arises from **procedurally defective, notice-free seizures**, especially hallway arrests executed without a neutral



decisionmaker and without an opportunity to be heard. Petitioner's arrest mirrors—and in key respects exceeds—the due-process violations in *Sira-Hurtado*: he was seized by masked officers, without warrant or explanation, immediately following a naturalization interview (one at which he appeared in good faith), and while a Ninth Circuit stay was active. The long arc of discriminatory treatment, including FBI retaliation and CARRP classification, further magnifies the constitutional deficiencies.

Fourth, this history is directly relevant to the **equities and public-interest analysis** required under *Nken v. Holder* and TRO standards. Petitioner is not merely a detainee—he is an **Honorable, decorated, disabled U.S. Army veteran**, a father to two extremely young U.S. citizen children suffering severe attachment trauma, a 25-year pillar of the community in Washington State (Exhibits 111-113; 137-144: *extensive news coverage and documentation of public and political support*), and a husband to a U.S. citizen who relies on him for family stability. The ongoing family separation inflicts **irreparable harm** recognized by federal courts as uniquely grave and unrecoverable. See *Leiva-Perez v. Holder*, 640 F.3d 962, 969–70 (9th Cir. 2011); *Nken v. Holder*, 556 U.S. 418, 435 (2009). In contrast, the Government gains **nothing** from prolonging an unlawful, procedurally defective

detention rooted in unconstitutional motives—and rather, incurs massive, multi-million dollar medical and financial liabilities—unnecessarily and indefensibly.

Further compounding these constitutional defects, Petitioner's August 29, 2025 bond hearing before the Tacoma Immigration Court was conducted in a manner so procedurally deficient as to offer no meaningful safeguard against erroneous detention. As detailed in Exhibits 131–136, the presiding Immigration Judge engaged in biased, hostile, and irregular conduct mirroring the systemic failures identified in *Rodriguez-Vasquez v. Bostock* (W.D. Wash. Sept. 30, 2025) and national media investigations into the Tacoma bond court. Such a sham process heightens the *Mathews* risk of error and demonstrates that Petitioner's ongoing detention is not supported by any constitutionally adequate determination of danger or flight risk. Courts routinely hold that constitutionally defective bond proceedings reinforce the conclusion that ongoing civil detention has become arbitrary, punitive, and therefore unlawful under *Zadvydas*.

Taken together, these facts are not collateral. They are **directly material** to the constitutional, statutory, and equitable determinations before this Court.

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~~They compel the conclusion that Petitioner's detention is unlawful and that~~
~~immediate habeas relief is required.~~

VIII. CLAIMS FOR RELIEF


Claim 1 — Procedural Due Process Violation (*Mathews v. Eldridge*)

Respondents deprived Petitioner of liberty without **notice, hearing**, or any meaningful procedural safeguard, in direct violation of *Mathews v. Eldridge*.

Petitioner's private interests—life, bodily integrity, eyesight, and family unity—are at their highest; the risk of erroneous deprivation is extreme given the 25-year record of discrimination, retaliation, forged evidence, and contradictory government conduct; and the Government's asserted interest in sudden detention is negligible. Under *Mathews*, this detention is **constitutionally indefensible**. (See Exhibits 117-122, 125-130.)

Claim 2 — Unlawful Civil Detention (*Zadvydas / Hamdi*)


Civil immigration detention must be nonpunitive and tethered to a legitimate regulatory purpose. Here, detention is **arbitrary, retaliatory, and disconnected** from any lawful removal function—especially where Petitioner is protected by a

 Ninth Circuit stay. Under *Zadvydas* and *Hamdi*, detention that bears no reasonable relation to its purpose is unconstitutional, and habeas relief is required. (See Exhibits 114-116, 147; Exhibits 117-121.)

Claim 3 — Substantive Due Process (Bodily Integrity)

Respondents have placed Petitioner—a disabled U.S. Army veteran—into conditions that foreseeably cause **permanent blindness**, neurological deterioration, and grave medical destabilization. Government conduct that knowingly inflicts such catastrophic harm on a medically vulnerable individual who has served this country honorably in uniform **“shocks the conscience”** and violates substantive due process. (See Exhibits 114 (Dr. Lewis), 115-116, and 147.)

Claim 4 — Equal Protection / Discrimination (CARRP and Related Targeting)

Petitioner’s prolonged obstruction, targeting, and detention are products of unconstitutional **CARRP discrimination**, improper religious profiling, and retaliatory targeting after . Such discrimination violates the Fifth Amendment’s equal-protection guarantees and renders the resulting detention unlawful. (See Exhibit 130; Exhibits 101, 123, 124, 125.)



Claim 5 — Habeas Relief Under 28 U.S.C. § 2241

Because Petitioner's custody violates the Constitution and laws of the United States, habeas relief is the appropriate and necessary vehicle to remedy such unlawful detention. Immediate release is the only possible remedy that restores Petitioner's liberty, allows urgently necessary medical treatment, and prevents further irreparable harm. (See Exhibits 117-122.)

Claim 6 — Damages / Equitable Relief

Given the scale of constitutional violations and decades of government misconduct (documented in Exhibits 101-147), Petitioner seeks **compensatory and punitive damages**, sanctions as appropriate, costs, and **any other relief this Court deems just, proper, or equitable**, preserving Petitioner's right to pursue additional remedies in subsequent civil proceedings.

VIII. INCORPORATION OF EXHIBITS

Petitioner incorporates by reference the full **Comprehensive Evidentiary Appendix on the Legality of Detention**, filed with this document, consisting of the following sections:

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Section I — Affidavits, Sworn Testimony, and Key Letters

Exhibits 101–106

(Declarations,  family hardship, sponsorship letters, faith leaders, recruiter and USCIS official letters.)

Section II — Identity, Military, and Civic Service Records

Exhibits 107–113

(DD-214s, VA disability documentation, marriage and birth certificates, proof of state-level commissions and service.)

Section III — Medical Evidence — Condensed and Critical

Exhibits 114–116

(Treating surgeon letter, medication list, summary of current medical conditions.)

Section IV — Proceedings and Procedural Irregularities

Exhibits 117–122

(Ninth Circuit order, USCIS interview notices, )

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N-652 form, etc)

Section V — Government Misconduct and Retaliation

Exhibits 123–130

(Declarations, police misconduct records, forensic handwriting analysis, convictions of ICE counsel Sanchez & Love, CARRP documentation.)

Section VI — Judicial Bias and Bond Denial Practices

Exhibits 131–136

(Bond denial order, Tacoma bond-judge press coverage, class action complaint, declarations.)

Section VII — Public and Political Support

Exhibits 137–144

(Senators' letters, state legislators' letters, organizational endorsements, petition signatures, press coverage.)

Section VIII — Country Conditions in Pakistan

Exhibits 145–146

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(Amnesty International report, U.S. State Department human-rights report.)

Section IX — Comprehensive Medical Records

Exhibit 147

(Cover page pointing to 600+ pages of Madigan Army Medical Center records.)

Additionally, Petitioner incorporates all exhibits previously filed with:

- the **Emergency Motion for Release Pending Decision** (Ninth Circuit),
- the **November 24, 2025 evidentiary filings**, including but not limited to the recent sworn declarations of Micaela Romero, neuroscientist; Petitioner; and Melissa Chaudhry.
- the **November 26, 2025 Amended Habeas and TRO filings**.

IX. PRAYER FOR RELIEF

For all the reasons stated above, and on the basis of the full evidentiary record submitted here, Petitioner's continued detention cannot be reconciled with the Constitution, federal law, or fundamental principles of due process.

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Therefore, Petitioner respectfully requests this Court:

1. Order **immediate release** from NWIPC;
2. Grant the concurrent **Motion for TRO**, restoring Petitioner's liberty without delay;
3. Declare Petitioner's detention **unconstitutional and unlawful** under procedural and substantive due-process standards;
4. Award **damages and full equitable relief**, including sanctions, declaratory relief, and any remedy necessary to redress the constitutional violations sustained across more than two decades;
5. Issue any **forward-looking injunctive relief** required to protect Petitioner from future unlawful detention, retaliation, or interference with his medical care, naturalization process, or family integrity;
6. Grant **attorney's fees, costs, and litigation expenses** should counsel appear in the future under 28 U.S.C. § 2412 or any other applicable authority;

- 7. And grant any other relief this Court deems just, proper, or necessary to vindicate the Constitution and preserve Petitioner's life, health, and fundamental rights.**

Doing so would not only restore Petitioner's liberty but the integrity of the legal process itself.

Respectfully submitted,

/s/ Muhammad Zahid Chaudhry

Detained Pro Se Petitioner

1623 E. J St

Tacoma, WA 98421

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CERTIFICATE OF SERVICE

I certify that on December 1, 2025, I caused to be served true and correct copies of the Second Amended Petition for Writ of Habeas Corpus, the Second Amended Motion for Temporary Restraining Order, the [Proposed] Order, and the summonses issued by the Court, by U.S. Postal Service Certified Mail, Return Receipt Requested, upon the following parties pursuant to Fed. R. Civ. P. 4(i) and Local Civil Rule 4.1:

1. Warden Bruce Scott

Northwest ICE Processing Center
1623 East J Street
Tacoma, WA 98421

2. Laura Hermosillo

Field Office Director, ICE Enforcement & Removal Operations – Seattle
ICE ERO Seattle Field Office
815 Airport Way S
Seattle, WA 98134

3. Kristi Noem

Secretary of Homeland Security
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528-0615

4. U.S. Department of Homeland Security

Office of the General Counsel
U.S. Department of Homeland Security
2707 Martin Luther King Jr Ave SE
Washington, DC 20528

5. Pamela Bondi

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Ave NW
Washington, DC 20530

6. United States of America (Local Service)

Civil Process Clerk
United States Attorney's Office
Western District of Washington
700 Stewart Street, Suite 5220
Seattle, WA 98101

Service was completed by depositing each mailing with USPS, properly addressed, with certified tracking and return-receipt requests.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 1st day of December, 2025, at Tacoma, Washington.

/s/ Muhammad Zahid Chaudhry ()

1623 E. J St
Tacoma, WA 98421