



25cv02339

**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 ICE-
ERO Field Office Director;

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
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY
INJUNCTION**

Petitioner Muhammad Zahid Chaudhry respectfully moves this Court for an
immediate Temporary Restraining Order (TRO) ordering his release from ICE



custody to prevent imminent, irreversible medical harm and ongoing constitutional violations. Petitioner is a 100% service-connected disabled U.S. Army veteran suffering from rapidly progressive **Thyroid Eye Disease (TED)** and traumatic brain injury. His continued detention at the Northwest ICE Processing Center (NWIPC) places him at **imminent risk of permanent blindness**, irreversible neurological damage, and life-threatening clinical deterioration. ICE has **cut off access to his treating specialists**, refused transport to urgent ophthalmological appointments, misrepresented the status of his endocrinology care, and housed him in sensory-overloading conditions medically contraindicated for his disabilities.

Immediate injunctive relief is warranted because ICE's ongoing failure to provide specialized medical care—and its obstruction of Petitioner's access to the physicians who can prevent permanent vision loss—constitutes **irreparable harm** under *Nken v. Holder*, 556 U.S. 418 (2009), and *Leiva-Perez v. Holder*, 640 F.3d 962 (9th Cir. 2011). The medical evidence submitted with this Motion, including the declaration of neuroscientist **Dr. Micaela Elys Romero (Ex. 148)**, declaration of Petitioner swearing to his current deterioration of sight (Ex. //149//), and letters from Petitioner's treating specialists at Madigan Army Medical Center (Exs. 114–116), confirms that **every day of delay increases the likelihood of blindness** and further neurological decline. No amount of post-hoc relief can restore lost vision, neurological function, or the constitutional and familial harms caused by continued detention.



Furthermore, Petitioner is overwhelmingly likely to succeed on the merits of his underlying habeas petition. His detention is **unlawful under 8 U.S.C. § 1226(a)**, procedurally unconstitutional under *Mathews v. Eldridge*, substantively unconstitutional under *Youngberg v. Romeo* and *Zadvydas v. Davis*, discriminatory under the Fifth Amendment's equal-protection guarantee, and in violation of the **ADA and Rehabilitation Act**. ICE seized Petitioner in a **warrantless hallway ambush** seconds following a naturalization interview, in direct violation of an active Ninth Circuit stay of removal, based on a removal order that is **functionally non-final, legally non-operative, and under active appellate review**. These circumstances mirror—and exceed—the constitutional violations identified by this District in *Sira-Hurtado v. Hermosillo* (W.D. Wash. 2025) and *Rodriguez-Vazquez v. Bostock* (W.D. Wash. 2025).

The **balance of equities** overwhelmingly favors Petitioner. ICE has no legitimate interest in detaining a disabled veteran with 25 years of peaceful residence, zero criminal history, and perfect compliance with all immigration requirements—particularly where detention is medically dangerous and legally unauthorized. The **public interest** strongly supports release, as it protects human life; prevents irreversible injury to a military veteran, husband, and father; upholds constitutional and statutory rights; and enables Petitioner to resume critical medical care and his civic duties as a Washington State Boundary Review Board Commissioner.

For these reasons, and those set forth below, Petitioner respectfully requests that the Court **issue an immediate TRO directing his release** or, in the alternative,



release to his home under the Court's reasonable supervision, pending resolution of the habeas petition.

I. EMERGENCY BASIS

Petitioner - whose detention is unlawful on multiple grounds, as set forth in Section III - faces a **medical emergency of the highest order**. His detention places him at imminent and irreversible risk of **losing his eyesight**, a consequence of rapidly progressing **Thyroid Eye Disease (TED)**—a condition that demands tightly coordinated care from ophthalmology, endocrinology, audiology, and infusion-medicine specialists. Before his seizure, Petitioner was under active treatment with a four-clinic team whose intervention had successfully slowed the disease's progression. Since his detention, however, ICE has **blocked transport** to his treating ophthalmologist, **misrepresented** the status of his endocrinology referral, and housed him in conditions that accelerate the rate of vision loss.

Expert testimony underscores the urgency. Neuroscientist **Dr. Micaela Elys Romero (Ex. 148)** confirms that TED-related optic-nerve compression progresses **daily**, and that any interruption in endocrine or ophthalmologic care accelerates the risk of permanent blindness. Treating specialists at Madigan Army Medical Center likewise warned—most notably in Dr. Lewis's written guidance (Exs. 114–116)—that Petitioner required evaluation **no later than early October** to avoid irreversible harm. Instead of facilitating this care, ICE placed Petitioner in **24/7**



bright-light solitary confinement, then in a chaotic, overstimulating housing unit —environments that are medically contraindicated for both TED and Petitioner’s service-connected traumatic brain injury.

These conditions materially worsen neurological inflammation, trigger debilitating migraines, disrupt sleep, and deprive Petitioner of meaningful rest or sensory stability. ICE offers no mechanism capable of reversing the decline it has caused, and the facility is structurally incapable of delivering the specialty care required to prevent optic-nerve damage. The harm now underway cannot be corrected after the fact: once the optic nerve is compressed beyond a critical threshold, vision loss is **permanent**.

Only immediate judicial intervention can halt the ongoing, painful, disfiguring progression toward irreversible blindness. A Temporary Restraining Order is therefore indispensable—not as a discretionary remedy, but as the only means of preventing **irreparable medical, constitutional, and human injury**.

II. LEGAL STANDARD FOR TRO IN IMMIGRATION HABEAS CASES

A Temporary Restraining Order is an extraordinary remedy, but one that is not merely appropriate—indeed, it is indispensable—when necessary to prevent imminent and irreparable harm. In the immigration-detention context, the governing standard is not the *Winter* test advanced by Respondents, but the framework set forth in *Nken v. Holder*, 556 U.S. 418 (2009), and elaborated by



the Ninth Circuit in **Leiva-Perez v. Holder**, 640 F.3d 962 (9th Cir. 2011). Under this standard, courts evaluate four familiar factors:

1. **Likelihood of success on the merits;**
2. **Irreparable harm absent relief;**
3. **Balance of equities; and**
4. **Public interest.**

In the detainee-health context, particularly where the alleged injuries involve **permanent physical harm or life-altering medical deterioration**, courts within the Western District of Washington routinely apply this standard to grant immediate release pending adjudication of the underlying habeas petition. See, e.g., *Sira-Hurtado v. Hermosillo*, No. C25-2173-KKE (W.D. Wash. 2025) (granting TRO where unlawful ICE seizure and medical vulnerability created imminent danger); *Rodriguez-Vazquez v. Bostock*, No. 2:25-cv-01548 (W.D. Wash. 2025) (ordering emergency habeas relief where statutory misclassification and due-process violations rendered detention unlawful); *Wagafe v. Biden*, No. 2:17-cv-00094-LK (W.D. Wash. 2025) (recognizing APA-based and equal-protection harms arising from discriminatory CARRP practices).

Unlike *Winter*, these cases make clear that the question is not whether Petitioner has shown a “clearly established” entitlement to injunctive relief in the abstract. Rather, the central inquiry is whether **the continuing deprivation of**



constitutional or statutory rights, combined with the imminent threat of irreparable physical harm, requires the Court to act immediately to prevent injury that cannot later be undone. In the immigration-detention context—especially where a detainee faces imminent loss of eyesight, neurological deterioration, or life-threatening complications—courts have repeatedly held that a TRO is appropriate even before full consideration of the merits, because the Constitution does not tolerate preventable, irreversible harm inflicted through unlawful or medically dangerous detention.

Thus, the applicable legal standard—rooted in *Nken*, *Leiva-Perez*, and this District’s own precedent—squarely authorizes and supports the emergency relief Petitioner now seeks.

III. LIKELIHOOD OF SUCCESS ON THE MERITS

Petitioner is overwhelmingly likely to succeed on the merits of his underlying habeas petition. The record establishes that his detention is unlawful under the Immigration and Nationality Act, unconstitutional under both procedural and substantive due-process doctrines, discriminatory in violation of equal protection, contrary to the Administrative Procedure Act, and in violation of the Americans with Disabilities Act and the Rehabilitation Act. Each legal claim stands independently; together, they form an unassailable showing of likelihood of success.



A. Statutory Claim — Petitioner Is Detained Under § 1226(a), Not § 1225(b)(2)

Respondent continues to misclassify Petitioner as an “arriving alien” subject to mandatory detention under § 1225(b)(2). This classification is **legally erroneous**. Petitioner is a long-time lawful permanent resident who has lived continuously in the United States for more than twenty-five years. He was arrested **inside U.S. territory**, in a courthouse-like administrative building, not at a port of entry. His removal order—though labeled “final”—is **legally non-operative**, under active review by the Ninth Circuit, subject to a federal stay of removal, and fatally compromised by coercion, fabricated evidence, CARRP distortion, and improper BIA adjudication.

Under **Rodriguez-Vazquez v. Bostock** (W.D. Wash. Sept. 30, 2025), individuals in Petitioner’s posture—long-term residents with deep ties, detained inside the country, and whose removal orders are under appellate review with an active stay—**must be detained, if at all, under 8 U.S.C. § 1226(a)**. Mandatory detention is unlawful. Respondent’s statutory misclassification alone is sufficient to establish likelihood of success.

B. Procedural Due Process — Violations Under *Mathews v. Eldridge*

Petitioner’s arrest and detention violate procedural due process at every stage. ICE executed a **warrantless, unannounced hallway seizure** moments after a naturalization interview, in direct violation of an active Ninth Circuit stay. USCIS

concealed the identity of the interviewing officer, issued an N-652 with the officer line left **blank**, and provided documentation completely inconsistent with ICE's I-213 narrative. The I-213 falsely claims USCIS "denied" the N-400 on the spot—contradicted by the N-652 stating "**A decision cannot be made at this time.**"

These contradictions show that the detention decision was pre-planned and not the product of lawful adjudication.

Under *Mathews v. Eldridge*, 424 U.S. 319 (1976), the risk of erroneous deprivation is intolerably high where: (1) a federal appellate stay is ignored; (2) adjudicators act anonymously in violation of administrative norms; (3) agency records contradict one another on material facts; (4) fabricated evidence forms part of the record (Belles checkmark incident); and (5) detainees are denied any meaningful pre-deprivation hearing. Petitioner is therefore likely to succeed on his procedural due-process claim.

C. Substantive Due Process — Medical Endangerment and Arbitrary Detention

Substantive due process forbids detention that is punitive, arbitrary, or that **shocks the conscience**. See *Youngberg v. Romeo*, 457 U.S. 307 (1982); *Zadvydas v. Davis*, 533 U.S. 678 (2001). ICE has placed Petitioner—a blind-at-risk, disabled veteran with TBI and severe endocrine disease—in conditions that foreseeably and rapidly cause **permanent blindness**, neurological destabilization, and life-threatening deterioration. ICE has:



- refused transport to Petitioner's treating ophthalmologist despite urgent written orders (Exs. 114–116);
- misrepresented the status of his endocrinology referral (Wang declaration, para. 10);
- disrupted his multi-clinic infusion regimen, allowing more than 90 days of untreated TED progression;
- housed him in sensory-overloading environments medically contraindicated for his conditions; and
- confined him in 24/7 bright-light solitary despite known TBI risks.

This conduct is not merely inadequate—it is **unconstitutional**. Petitioner is therefore likely to succeed on his substantive-due-process claims.

D. Equal Protection — CARRP Targeting and Discriminatory Enforcement

The Fifth Amendment's equal-protection guarantee extends to all persons, including non-citizens. Petitioner's case exhibits **15 out of 19 known CARRP indicators** (Ex. 151), a **T-Other terrorism coding** in his I-213 with no evidentiary basis, and a two-decade history of arbitrary delays, pretextual denials, discriminatory treatment, and retaliatory enforcement following refusal to serve as an FBI informant.



In **Wagafe v. Biden**, No. 2:17-cv-00094-LK (W.D. Wash. 2025), this District struck down CARRP as **unlawful, discriminatory, arbitrary, and capricious**. Because Petitioner's naturalization, removal, and detention proceedings were all tainted by CARRP's impermissible national-security profiling, he is likely to prevail on his equal-protection claim.

E. Administrative Procedure Act Violations — *State Farm and Chenery*

Respondent's actions are arbitrary and capricious under the APA. The Government has relied on evidence it knows is false (Lt. Belles's checkmark allegation that is a core basis of the '08 removal order), concealed adjudicator identity, provided contradictory agency statements, misrepresented medical care, and ignored mandatory procedural protections. Under *Motor Vehicle Mfrs. Ass'n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29 (1983), agency action is arbitrary when it relies on factors Congress did not intend, fails to consider important aspects of the problem, or contradicts the evidence before it. Under *SEC v. Chenery Corp.*, 318 U.S. 80 (1943), agency action must stand on the grounds invoked—not on post-hoc rationalizations. Petitioner is therefore likely to succeed on his APA claims.

F. ADA and Rehabilitation Act Violations

Petitioner is a qualified individual with disabilities protected under ADA Title II and the Rehabilitation Act. ICE's refusal to allow his PCA, housing him in bright-light isolation, obstructing access to specialist care, and imposing sensory-dangerous conditions constitute disability discrimination. See *Pa. Dep't of*



Corr. v. Yeskey, 524 U.S. 206 (1998); *Pierce v. County of Orange*, 526 F.3d 1190 (9th Cir. 2008). The ADA and Rehabilitation Act provide a fully independent basis for relief.

For all of these reasons, Petitioner is overwhelmingly likely to succeed on the merits of his underlying claims.

IV. IRREPARABLE HARM

Petitioner faces **immediate, severe, and irreversible injury** absent this Court's intervention. Of the four TRO factors, irreparable harm is the most overwhelmingly satisfied. The medical, neurological, constitutional, and familial harms documented in this record cannot be undone through later relief. They will not—and cannot—wait for the normal pace of litigation. Under *Nken v. Holder*, 556 U.S. 418 (2009), and *Leiva-Perez v. Holder*, 640 F.3d 962 (9th Cir. 2011), such harms compel the issuance of a Temporary Restraining Order.

A. Imminent and Permanent Loss of Eyesight

Petitioner's **Thyroid Eye Disease (TED)** is in an active, rapidly progressive phase requiring tightly sequenced and coordinated specialty care. The clinical evidence—including declarations from his treating specialists at Madigan Army Medical Center (Exs. 114–116) and expert testimony from Dr. Romero (Ex. 148)—

establishes that TED-related **optic-nerve compression worsens daily**. Every missed evaluation increases the likelihood of permanent, irreversible blindness.

Before detention, Petitioner's medical team had reduced his Clinical Activity Score through ongoing infusion therapy and close ophthalmologic monitoring. ICE halted this care by refusing transport to his treating ophthalmologist despite urgent written orders, interrupting his infusion regimen for more than 90 days, and placing him in environments that exacerbate inflammation and intra-orbital pressure. These failures have already caused measurable deterioration in Petitioner's vision (Petitioner Declaration, Ex. 149). Once the optic nerve passes a critical threshold of compression, **vision loss cannot be restored**. This is classic irreparable harm.

B. Irreparable Neurological Harm

Petitioner is a **traumatic brain injury (TBI)** survivor whose sensory and neurological stability depends on regulated environments and medical oversight. ICE placed him in **24/7 bright-light solitary confinement** for six days, followed by chaotic, noisy pod conditions with minimal hours of darkness. For a TBI patient, these conditions predictably trigger severe migraines, cortical overstimulation, cognitive disruption, and neurological regression.

Dr. Romero affirms that such conditions are medically dangerous for individuals with Petitioner's neurological profile and can cause **lasting, irreversible neural injury** (Ex. 148). NWIPC cannot provide the neuro-specialty monitoring or



therapeutic environment required to stabilize a patient with TBI, placing Petitioner at continuous risk of deterioration that cannot later be undone.

C. Family Unity and Developmental Harm to Petitioner's Children

Petitioner is the father of two U.S.-born infants, both of whom are experiencing significant distress and attachment disruption due to his absence. As documented in the Declaration of Melissa Chaudhry (Ex. 150), Petitioner's daughter repeatedly asks whether "the judge has decided yet," displays anxiety, nightmares, and early attachment injury; his infant son cries when looking for his father each morning, unable to understand why he has disappeared.

Federal courts recognize these harms as irreparable. Early childhood trauma, fractured attachment bonds, and the loss of a parent's presence during foundational developmental windows **cannot be remedied** through later judicial action. Under *Nken* and *Leiva-Perez*, such emotional and developmental injuries weigh heavily in favor of immediate release.

D. Psychological and Physical Deterioration

The totality of Petitioner's detention conditions—including sensory overstimulation, sleep deprivation, continuous migraines, inflammation, and inability to maintain adequate rest—have caused escalating pain, physical decline, and psychological destabilization. These harms are not speculative; they are



25cv02339

occurring now, worsening daily, and compounding the medical risks described above.

No post-hoc remedy can compensate for the physical and emotional suffering Petitioner is enduring, nor for the deterioration in his functional capacity and neurological health. Such ongoing injury constitutes irreparable harm warranting immediate relief.

E. Constitutional Harms Are Irreparable

Ongoing violations of constitutional rights—including bodily integrity, family integrity, due process, and freedom from arbitrary detention—are themselves irreparable harms under Supreme Court and Ninth Circuit precedent. *Nken*, 556 U.S. at 435. Every day Petitioner remains detained under unlawful circumstances compounds the constitutional injury to him and his family.

Detention that foreseeably causes medical catastrophe, disrupts parent-child relationships, and violates a federal appellate stay cannot be cured by later success on the merits. Because the Constitution protects against **the injury itself**, not merely the eventual outcome, immediate relief is required to prevent further irreparable harm.

V. BALANCE OF EQUITIES



The balance of equities in this case is not merely favorable to Petitioner—it is overwhelmingly, unequivocally, and profoundly so. On one side of the scale lies Petitioner’s **life, eyesight, neurological stability, and constitutional rights**. On the other lies a Government interest already satisfied for twenty-five years by Petitioner’s perfect record of compliance, lawful conduct, and deep community integration. The equities weigh so heavily in Petitioner’s favor that no reasonable balancing could support continued detention.

Petitioner is a **decorated, 100% service-connected disabled U.S. Army veteran**, a long-time lawful permanent resident, a sitting Washington State Boundary Review Board Commissioner, a husband, and the father of two U.S. citizen infants. He has **zero criminal history**, has complied with every immigration requirement for more than two decades, and poses no flight risk or danger—facts confirmed by the Government’s own I-213, which states expressly: **“Chaudhry has no known criminal history in the United States.”** ICE therefore has *no legitimate detention-related interest* in keeping Petitioner confined.

By contrast, continued detention places Petitioner at **imminent risk of permanent blindness**, exacerbates his traumatic brain injury, disrupts vital medical care that no detention facility can replicate, and inflicts escalating harm on his children and family unit. The weight of these harms—medical, neurological, familial, constitutional—is immense. They are not theoretical or eventual; they are **present, ongoing, and compounding daily**.



Respondent has failed to articulate any countervailing equitable interest that could justify such grave, irreversible harm. Public safety is not implicated. Flight risk is nonexistent. Removal is legally impossible under the Ninth Circuit's active stay. And any administrative interest in supervision can be satisfied through the Court's authority to order **home-based release under minimal, medically compatible, court-administered conditions**—conditions that do *not* permit ICE to approach Petitioner's home or family.

The Government's only remaining equitable argument—that it has an interest in “detention for removal purposes”—**rings hollow** given the seventeen-year age of the removal order, its ongoing appellate review, the Ninth Circuit stay, and the extensive record showing that Petitioner's detention serves no legitimate regulatory goal. Indeed, the only equitable interest served by maintaining the status quo is the Government's desire to defend an unlawful detention, and courts have consistently held that the Government has **no legitimate interest** in continuing conduct that violates constitutional, statutory, or disability-rights protections.

When the harms to Petitioner—loss of sight, neurological deterioration, severe family trauma, and constitutional violations—are placed on the scale opposite the Government's non-existent or illegitimate interests, the balance is not close. The equities weigh decisively, overwhelmingly, and categorically in Petitioner's favor. This factor strongly supports immediate injunctive relief.



VI. PUBLIC INTEREST

The public interest strongly and unequivocally favors Petitioner's immediate release. Protecting constitutional rights, preventing irreparable medical injury, and upholding the rule of law are foundational public interests recognized by the Supreme Court and the Ninth Circuit. When the Government's conduct threatens life, bodily integrity, disability rights, and family unity—as it does here—the public interest weighs decisively on the side of emergency relief.

First, **the public has an overriding interest in ensuring that constitutional protections are not hollow in practice.** The warrantless hallway seizure of a disabled veteran during a naturalization interview, in direct violation of an active Ninth Circuit stay of removal, undermines core principles of due process and separation of powers. Courts have consistently held that preventing constitutional violations is always in the public interest, as is halting detention practices that operate outside statutory and procedural bounds.

Second, the public interest is served by **protecting human life, health, and capability**—including the preservation of eyesight. Petitioner faces imminent, irreversible blindness if detention continues. The public has a clear and compelling interest in ensuring that individuals, especially disabled veterans, are not subjected to government actions that inflict catastrophic medical harm. Disability rights, access to medical care, and humane treatment of those in custody are public values grounded in federal law, including the ADA and Rehabilitation Act.



25cv02339

Third, the public has a strong interest in preventing the Government from detaining individuals through **entrapment, pretext, or discriminatory practices**, as reflected in the staggering record of CARRP-related distortions, Belles fabrication, and pre-coordinated seizure outlined above. Upholding integrity in naturalization, removal, and detention systems is essential to maintaining public trust in immigration agencies and the judiciary.

Fourth, the public interest is harmed—not served—when the Government **disrupts lifesaving medical care**, especially where such disruption has no legitimate regulatory purpose. ICE's refusal to transport Petitioner to urgent medical appointments, obstruction of specialty care, and placement in medically dangerous conditions run contrary not only to constitutional standards but to fundamental public-health values.

Finally, Washington State itself has a substantial stake in Petitioner's immediate release. Petitioner is a current **Boundary Review Board Commissioner** (Ex. 113-B), an appointed public servant whose ongoing civic duties cannot be fulfilled while detained. His release serves the State's interest in continuity of governance, effective public administration, and retention of experienced civic leaders.

In sum, the public interest favors protecting a disabled veteran from imminent blindness, restoring lawful process, preventing ongoing constitutional violations, and ensuring that federal agencies comply with their statutory and ethical obligations. No competing governmental interest outweighs these values. The



public interest therefore strongly supports issuance of a Temporary Restraining Order.

VII. REQUESTED RELIEF (TRO)

For the reasons set forth above—Petitioner’s overwhelming likelihood of success on the merits, the imminent and irreversible threat of blindness and neurological deterioration, the ongoing violations of constitutional and statutory rights, the unlawful seizure in violation of a federal appellate stay, and the absence of any legitimate governmental interest in continued detention—Petitioner respectfully requests that this Court issue the following emergency relief:

1. Immediate Release From ICE Custody.

Petitioner requests an order directing his **immediate release** from the Northwest ICE Processing Center pursuant to the Court’s habeas authority, its equitable power under 28 U.S.C. § 2241, and the emergency relief standards of *Nken* and *Leiva-Perez*. Petitioner’s detention is unlawful under § 1226(a), medically dangerous, constitutionally impermissible, and foreseeably catastrophic to his health and family. No further detention can be justified under the Constitution, the INA, the APA, or disability-rights law.



2. Alternative Relief: Release to Home Under Court Supervision (Not ICE).

Should the Court determine that conditions of release are appropriate, Petitioner requests an order placing him **at home under the Court's supervision**, subject only to minimal reporting conditions that are **medically compatible** with his disabilities and **do not permit ICE or DHS personnel to enter Petitioner's home, approach his wife or children, or engage in any in-person monitoring at the residence.**

Any supervisory obligations—if imposed—should be **administered exclusively by the Court**, not by ICE, and may include remote check-ins by telephone or electronic means that do not interfere with Petitioner's vision care, neurological stability, mobility, or sleep. These conditions, if used, fully satisfy any theoretical governmental interest in ensuring compliance while preventing ICE from approaching, entering, or disrupting the family home.

3. If Immediate Release is Not Ordered: Immediate Transport to Urgent Medical Evaluation.

In the event that the Court declines to order Petitioner's immediate release from ICE custody or release to home, Petitioner requests that ICE be ordered to ensure **prompt evaluation within 24–48 hours** by his treating ophthalmologist and endocrinologist at Madigan Army Medical Center and Providence Endocrinology. These appointments are medically urgent and have already been dangerously delayed. Court is respectfully requested to ensure that nothing in this order shall



25cv02339

authorize ICE to conduct home visits, residential checks, or in-person monitoring; medical transport shall involve **clinic-to-clinic or clinic-to-custody movement only**, unless Petitioner has already been released.

4. Prohibition on Re-Detention Absent Probable Cause and Compliance With § 1226(a).

Petitioner further requests an order prohibiting ICE from re-detaining him during the pendency of this case absent:

(a) **probable cause of a new offense**; and

(b) full compliance with the statutory and constitutional requirements of **8 U.S.C. § 1226(a)**, including a lawful bond hearing before a neutral adjudicator with the Government bearing the **clear and convincing evidence** burden of showing danger or flight risk.

This relief is necessary to ensure ICE does not attempt to circumvent the Court's order and to protect Petitioner from further unlawful seizure.

5. Prohibition on Transfer or Relocation Without Court Approval.

Petitioner further requests that the Court order Respondents **not to transfer, move, or relocate Petitioner from his current jurisdiction, or to any other detention facility, without prior leave of Court**. This includes prohibiting Respondents from:



25cv02339

- (a) transferring Petitioner to any out-of-state or more distant facility or jurisdiction
- (b) placing him “in transit” or staging for removal, or
- (c) moving him to conditions (including solitary confinement, no matter the justification) that would further endanger his vision, neurological stability, or access to his treating specialists.

With this Court’s approval, any proposed transfer or change in custody location shall require prior written notice to the Court and Petitioner and may not occur absent express order from this Court.

6. Non-interference with Communication.

Petitioner requests that the Court order Respondents **not to interfere with Petitioner’s reasonable access to telephone, written, and in-person communication with his family, medical providers, and prospective legal counsel**, except as permitted by ordinary institutional rules applied on a non-discriminatory basis.

7. Preservation of Medical and Detention Records.

Petitioner further requests the Court to order Respondents to **preserve all medical records, incident reports, segregation logs, transport notes, and related documentation** concerning Petitioner’s detention and medical care from August



21, 2025 through to the present and ongoing until his eventual release, and to **not alter, destroy, or remove such records from the jurisdiction.**

These narrowly tailored requests ensure Petitioner's safety, preserve his eyesight, uphold constitutional guarantees, secure integrity of records critical to accountability, and maintain judicial control while preventing unnecessary intrusion by ICE into Petitioner's home, family relationships, or medical treatment.

VIII. CONCLUSION

For all of the reasons set forth above, Petitioner respectfully requests that this Court issue an immediate Temporary Restraining Order to prevent irreversible medical harm, halt ongoing constitutional and statutory violations, and restore lawful process. Petitioner has demonstrated an overwhelming likelihood of success on the merits; the imminent threat of permanent blindness, neurological deterioration, and escalating family trauma constitutes irreparable harm of the highest order; the balance of equities weighs decisively in his favor; and the public interest strongly supports protecting life, health, constitutional guarantees, disability rights, and the integrity of judicial and administrative processes. No legitimate governmental interest is served by continuing to detain a disabled U.S. Army veteran under medically dangerous and legally unauthorized conditions.



25cv02339

Immediate judicial intervention is the only mechanism capable of preventing catastrophic and irreversible injury. Petitioner therefore respectfully asks this Court to grant the emergency relief requested herein.

SIGNATURE BLOCK

Respectfully submitted this 5th day of December, 2025.

Muhammad Zahid Chaudhry



Pro Se, Detained

1623 E. J St

Tacoma, WA 98421



25cv02339

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CERTIFICATE OF SERVICE

I certify that on December 5, 2025, I caused to be served true and correct copies of the Second Amended Petition for Writ of Habeas Corpus and the Second Amended Motion for Temporary Restraining Order 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

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2. Laura Hermosillo

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3. Kristi Noem

Secretary of Homeland Security
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25cv02339

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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 the U.S. Postal Service, 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 **5th day of December, 2025**, at Tacoma, Washington.

/s/ Muhammad Zahid Chaudhry ()

1623 E. J St
Tacoma, WA 98421