



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.



NON DETAINED

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

MLP

**PETITIONER'S MOTION TO
COMPEL RETURN OF
PRIVATE PROPERTY AND
FOR ANCILLARY RELIEF**

I. INTRODUCTION

Petitioner Muhammad Zahid Chaudhry, pro se, respectfully moves for an order



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compelling Respondents—through DHS/ICE and their detention contractors—to return Petitioner’s **private property** that was confiscated at intake to the Northwest ICE Processing Center (“NWIPC”) and then wrongfully retained and mishandled.

On August 21, 2025, Petitioner attended what he was instructed was a “citizenship appointment.” Consistent with those instructions, he brought original identifying materials, including (1) his **Department of Veterans Affairs identification card** (“VA ID”), and (2) **original of both his U.S.-citizen children’s birth certificates**. Those documents were confiscated at NWIPC intake.

At Petitioner’s bond hearing on August 29, 2025—very early in his detention—the Immigration Judge directed the ICE attorney to ensure those originals were returned. Yet for **about four months**, Petitioner made about 40 of **written requests** for the return of those items and received silence. Ultimately, the birth certificates were returned to Petitioner **one day before his release**, but during his hurried out-processing the next day, the certificates were left behind in his cell along with other private property, including a **money order** and **irreplaceable sentimental items** (a card and photographs of his wife and children). Those items have not been forwarded, mailed, or returned to Petitioner.

Critically, the VA ID has not been returned at any point.

Petitioner does not seek punitive relief. He seeks a concrete remedy: return of his private property or, if Respondents cannot produce it, a sworn accounting of chain



of custody and replacement measures. The requested order is narrow, ministerial, and necessary to prevent ongoing harm.

II. RELIEF REQUESTED

Petitioner requests that the Court enter an order:

1. **Compelling return of private property** listed in Section IV.D below by 1-12-2026;
2. Requiring Respondents to file a **sworn declaration** from an appropriate ICE official and/or GEO/NWIPC property officer identifying:
 - the chain of custody and current location of each item;
 - whether any item was transferred, lost, destroyed, or returned to a different agency; and
 - what steps were taken to locate and return the property;
3. Requiring Respondents to produce the **property inventory/receipt**, intake and release property records, and any relevant transfer documentation;
4. If any item cannot be produced, requiring Respondents to issue a **written loss/confirmation letter** on official letterhead for each missing item and to **reimburse or facilitate replacement** (where replacement is possible),



including any fees; and

5. Setting an expedited schedule for Respondents' response and compliance.

III. JURISDICTION AND AUTHORITY

This Court has authority to grant the requested relief as a matter of **ancillary jurisdiction** and inherent authority to effectuate and protect the integrity of its proceedings and to address collateral matters necessary to prevent continuing injury arising from the unlawful detention and release sequence at issue in this federal case.

The relief sought is narrow: an order compelling the return (or sworn accounting) of Petitioner's private property that the government and its contractors took into custody and failed to return.

In the alternative, should the Court determine that a closed docket requires a procedural vehicle, Petitioner requests that the Court **reopen the case for the limited purpose of enforcement/ancillary relief** related to the return of private property and a sworn accounting.

IV. FACTUAL BACKGROUND

A. The August 21, 2025 appointment and NWIPC intake confiscation of original identity documents



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On August 21, 2025, Petitioner attended what he was instructed was a USCIS “citizenship appointment” and was told to bring original identifying materials. He complied, bringing (among other items) his **VA identification card (“VA ID”)** and **original certified copies of his U.S.-citizen children’s birth certificates**. At the conclusion of that appointment, Petitioner was immediately and illegally taken into custody and transferred to the Northwest ICE Processing Center (“NWIPC”).

At intake to NWIPC on August 21, 2025, NWIPC personnel confiscated and withheld those originals. NWIPC’s own “Property Withheld Receipt” dated August 21, 2025 lists, among withheld items, **“2 BIRTH CERTIFICATES/ICE”** and **“1 ID/ICE.”** (See *Chaudhry Decl., Ex. A; Property Withheld Receipt (NWIPC) dated 8/21/2025, Ex. D.*)

B. The Immigration Judge directed return at the August 29, 2025 bond hearing

At Petitioner’s bond hearing on August 29, 2025—very early in his detention—the Immigration Judge directed ICE counsel to ensure Petitioner’s original identifying documents were returned. Numerous witnesses in the courtroom and online via Webex can attest to the Immigration Judge’s directive. (*Chaudhry Decl., Ex. A; Decl Ann Chaudhry, Ex. C.*)



C. Dozens of written requests and silence for about four months; ICE routing impeded return

Despite the Immigration Judge's directive, Petitioner's material were not promptly or properly returned. Petitioner made **dozens of written requests** during his confinement for the return of his VA ID and his children's original birth certificates. Those requests were met with silence.

As is typical within NWIPC/GEO's internal request system, Petitioner was not provided receipts, copies, or acknowledgments of submission; his requests disappeared into the facility's internal process without any accountable paper trail. Petitioner therefore cannot attach copies of those requests, and instead attests to them by declaration. (*Chaudhry Decl., Ex. A.*)

The NWIPC records also corroborate that Petitioner and his family pursued return immediately. On August 23, 2025, an ICE/NWIPC "Phone Call" record reflects that Petitioner's wife called regarding the children's birth certificates and was instructed to complete the required form so the property could be released to her. (*ICE/NWIPC Phone Call Record dated 8/23/2025, Ex. E.*) She attests that she did so. (*Decl. of Melissa Chaudhry, Ex. B.*)

On the same date, Petitioner completed a "Detainee Request to Release Property and/or Funds" form (Northwest Detention Center / Northwest Detention Center—



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style property release form) specifically requesting release of **“BOTH ORIGINAL BIRTH CERTIFICATES OF MY CHILDREN & MY VA ID”** to **Melissa Chaudhry**. However, that form bears a handwritten note stating: **“ALL ID’s forwarded to ICE.”** (*Detainee Request to Release Property and/or Funds dated 8/23/2025, Ex. F.*)

This record is consistent with Petitioner’s account that he requested release/ forwarding through the facility process, yet his identity documents—especially his VA ID—were routed back to ICE rather than returned, and then withheld for **about four months** without meaningful response. (*Chaudhry Decl., Ex. A.*)

D. The birth certificates were returned one day before release, but private property was left behind during hurried out-processing

After **about four months**, the original birth certificates were returned to Petitioner on **December 21, 2025**—**one day before his release on December 22, 2025**. The following day, when Petitioner was hastily moved to out-processing without meaningful opportunity to collect property, the birth certificates were left in his cell along with other **private property**, including:

- a **money order** ;
- a **card** from his wife; and
- several **photographs** of his wife and children.



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None of these items have been forwarded, mailed, or returned to Petitioner.

(Chaudhry Decl., Ex. A; Decl. of Melissa Chaudhry, Ex. B.)

E. The VA ID has never been returned

Unlike the birth certificates, Petitioner's **VA ID has never been returned**—not before release and not after. This ongoing deprivation of an essential veteran identity document imposes continuing harm and creates unnecessary barriers to medical access, verification, travel, and other basic life functions. *(Chaudhry Decl., Ex. A.)*

V. ARGUMENT

A. The Court may order return of private property (or a sworn accounting) as ancillary relief

The relief requested is practical and narrow. Petitioner asks the Court to require Respondents to do what basic accountability demands: **return what they took**, or state under oath what happened to it and provide replacement measures where possible.

This request does not reopen the merits of Petitioner's detention or removal proceedings. It addresses a collateral injury arising from unlawful government



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custody and mishandling of private property in the course of the events underlying this federal action.

B. Respondents have no legitimate basis to retain Petitioner's original documents and private property without return or accounting

Original birth certificates and a VA ID are not fungible. They are essential identity documents. Photographs and family items are irreplaceable. A money order is financial property.

Petitioner sought return repeatedly. Respondents' months-long failure to return the items—and their failure to forward them after release—demonstrates the need for a Court order requiring specific action by date certain and a sworn accounting.

C. At minimum, the Court should require production by date certain or a sworn accounting and replacement measures

To ensure clarity and compliance, the Court should order:

1. Return of the listed private property by a date certain; and
2. If any item cannot be produced, a sworn declaration explaining why, accompanied by the underlying inventory and transfer records; and
3. A written confirmation letter and replacement reimbursement/facilitation where replacement is possible.



This framework prevents evasion and ensures the Court receives an accountable record.

VI. EXHIBITS

- **Exhibit A:** Declaration of Muhammad Zahid Chaudhry
- **Exhibit B:** Declaration of Melissa Chaudhry
- **Exhibit C:** Declaration of Ann Chaudhry (confirming originals were brought in; IJ directive on Aug. 29; ICE counsel's confirmation)
- **Exhibit D:** NWIPC Property Withheld Receipt dated **8/21/2025** (listing "2 BIRTH CERTIFICATES/ICE" and "1 ID/ICE")
- **Exhibit E:** ICE/NWIPC Phone Call Record dated **8/23/2025** (re: children's birth certificates; instruction to complete property release form)
- **Exhibit F:** "Detainee Request to Release Property and/or Funds" dated **8/23/2025** (requesting release of "BOTH ORIGINAL BIRTH CERTIFICATES OF MY CHILDREN & MY VA ID" to Melissa Chaudhry; handwritten note: "ALL ID's forwarded to ICE")

*(Note: Petitioner cannot attach copies/receipts of detainee written requests submitted inside NWIPC/GEO because the facility does not provide



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acknowledgments or copies; Petitioner attests to the frequency and substance of those requests by declaration.)

VII. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court grant this Motion and enter the proposed order.

DATED: January 6th, 2026

Respectfully submitted,

/s/ Muhammad Zahid Chaudhry

Petitioner, pro se