

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Miguel Angel LOPEZ-Lugo

Petitioner,

v.

Cammilla WAMSLEY, Seattle Field Office
Director, Enforcement and Removal Operations,
United States Immigration and Customs
Enforcement (ICE); Bruce SCOTT, Warden,
Northwest ICE Processing Center; Kristi
NOEM, Secretary, United States Department of
Homeland Security; Pamela BONDI, United
States Attorney General; UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY;

Respondents.

Case No. 2:25-cv-25-2380

**PETITION FOR WRIT OF HABEAS
CORPUS**

**INDIVIDUAL ENFORCEMENT OF
RODRIGUEZ VAZQUEZ BOND
DENIAL CLASS JUDGMENT**

FACTS AND BASIS FOR RELIEF

1. Petitioner Miguel Angel Lopez Lugo brings this petition for a writ of habeas corpus to seek enforcement of his rights as a member of the Bond Denial Class certified in *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC (W.D. Wash. filed Mar. 20, 2025).¹

2. On September 30, 2025, this Court issued a final judgment “declar[ing] that Bond Denial Class members are detained under 8 U.S.C. § 1226(a) and are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2).” *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC, --- F. Supp. 3d ---, 2025 WL 2782499, at *27 (W.D. Wash. Sept. 30, 2025).

3. The Court further declared “that the Tacoma Immigration Court’s practice of denying bond to Bond Denial Class members on the basis of § 1225(b)(2) violates the Immigration and Nationality Act.” *Id.*

4. Petitioner Miguel Angel Lopez Lugo is a member of the Bond Denial Class, as he:

(a) does not have lawful status in the United States and is currently detained at NWIPC after being apprehended by U.S. Immigration and Customs Enforcement (ICE) on November 9, 2025,

(b) entered the United States without inspection over twenty years ago and was not apprehended upon arrival;

(c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

5. After arresting Mr. Lopez on November 9, the Department of Homeland Security (DHS) placed Petitioner in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged

¹ The Bond Denial Class is comprised of “[a]ll noncitizens without lawful status detained at the Northwest ICE Processing Center [NWIPC] who (1) have entered or will enter the United States without inspection, (2) are not apprehended upon arrival, (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the noncitizen is scheduled for or requests a bond hearing.” *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC, --- F. Supp. 3d ---, 2025 WL 2782499, at *6 (W.D. Wash. Sept. 30, 2025).

1 Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the
2 United States without inspection. *See* Ex. A.

3 6. Mr. Lopez has not requested a bond hearing from the Tacoma Immigration Court as
4 the practice of the Immigration Court is to deny bond on jurisdictional grounds for anyone, like Mr.
5 Lopez, who entered without inspection.

6 7. Mr. Lopez is a member of the *Rodriguez Vazquez* class and the respondents are bound
7 by the judgment in that case as it has the full “force and effect of a final judgment.” 28 U.S.C.
8 2201(a).

9 8. Nevertheless, Respondents continue to flagrantly defy the judgment in that case and
10 continue to subject Petitioners to unlawful detention despite their clear entitlement to consideration
11 for release on bond as Bond Denial Class members.

12 9. The Court should expeditiously grant this petition and order that Respondents must
13 release Mr. Mendoza unless he receives a new bond hearing under § 1226(a) within seven days of the
14 Court’s order.

15 JURISDICTION & VENUE

16 10. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1331
17 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the Suspension
18 Clause). The Court may grant relief pursuant to 28 U.S.C. § 2241; the Declaratory Judgment Act, 28
19 U.S.C. § 2201 et seq.; and the All Writs Act, 28 U.S.C. § 1651.

20 11. Venue is proper in this District because Petitioner is detained at the Northwest ICE
21 Processing Center (NWIPC) in Tacoma, Washington. Venue is also proper under 28 U.S.C. §
22 1391(e) because Respondents are employees, officers, and agencies of the United States, and a
23 substantial part of the events or omissions giving rise to the claims occurred in this District.

PARTIES

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12. Petitioner Mr. Miguel Angel Lopez Lugo was apprehended by immigration officers on November 9, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

13. Respondent Cammilla Wamsley is the Seattle Field Office Director of ICE's Enforcement and Removal Operation division. As Petitioners' immediate custodian, she is responsible for Petitioners' detention and removal. She is named in her official capacity.

14. Respondent U.S. Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the Immigration and Nationality Act (INA), including the detention and removal of noncitizens.

15. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

16. Respondent Bruce Scott is employed by The Geo Group, Inc., as Warden of the NWIPC, where Petitioners are detained. He has immediate physical custody of Petitioners. He is sued in his official capacity.

CLAIM FOR RELIEF

Violation of the INA:

Request for Relief Pursuant to *Rodriguez Vazquez*

17. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

18. As a member of the Bond Denial Class, Petitioner is entitled to consideration for release on bond under 8 U.S.C. § 1226(a).

19. The judgment in *Rodriguez Vazquez* makes clear that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

1 20. Respondents are parties to *Rodriguez Vazquez* and bound by the Court's declaratory
2 judgment, which has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).

3 21. By denying Petitioner a bond hearing under § 1226(a) and asserting that Petitioner is
4 subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioner's rights under the
5 INA and this Court's judgment in *Rodriguez Vazquez*.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Petitioner prays that this Court grant the following relief:

- 8 a. Assume jurisdiction over this matter;
- 9 b. Issue a writ of habeas corpus and order that Respondents must release Petitioner
10 unless within seven days of the Court's order they administer a bond hearing under 8
11 U.S.C. § 1226(a). At that hearing, the IJ may not conclude that Mr. Lopez Lugo is
12 subject to 8 U.S.C. § 1226(c) or § 1225(b)(2);
- 13 c. Award Petitioner's attorney's fees and costs under the Equal Access to Justice Act
14 ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law;
15 and
- 16 d. Grant any other and further relief that this Court deems just and proper.

17 Dated: Tuesday, November 25, 2025

18 s/ Stephen C. Robbins

19 Stephen Robbins, WSBA No. 53398
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