



Name: Humberto Jimenez Perez
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TACOMA, WASHINGTON 98421

JAN 22 2026

AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

UNITED STATES DISTRICT COURT
BY

IN AND FOR THE WESTERN DISTRICT OF WASHINGTON

Name: Jimenez Perez Humberto Case No. 2:25-cv-02631-JLR
Petitioner)
vs.)
ICE Field Office Director)
Respondent)
REPLY TO RESPONSE TO MOTION

The ~~Appellant~~ ^{Petitioner} is currently held in custody of the Attorney General at Tacoma's Northwest Detention Center in Tacoma Washington.

Here, the ~~Appellant~~ ^{Petitioner} moves this Court to

1. Be immediately released from detention under *Zadvydas v. Davis*, 533 U.S. 678, 689, 121. S. Ct. 2491, 150 L. Ed. 2D 653 (2001);[*702] V. 208 F. 3d at 831 and n. 30.
2. Provide me with a hearing in which the government must show I'm a risk of flight or danger to the community before re-detaining me as required by the due process clause.
3. Not to remove me to a third country in an unconstitutionally, punitive manner and provide me with a notice and an opportunity to respond to any third country removal attempt in a re-opened removal proceeding.

I was born in Cuba in [REDACTED] and came to U.S.A on 1980 to a criminal conviction
I signed deportation on 1998 after 335 days I had a review and do to the fact that ERO was not
successfully removing to Cuba I was placed on an Order Of Supervision, after a total of 335 days in
detention.

RE-DETENTION

I was later picked up on a re-vocation of my supervision by ERO on 10/06/2025. My removal
to Cuba is just as unlikely as it was in 1998, because Cuba has been extremely reluctant to accept

individual's with criminal record's, also because I came to America during the
"Mariel Act". And I'm considered a traitor to my country for leaving in 1980.

Although ICE arrested 419 Cuban's citizen's in fiscal year 2025, only 138 Cuban's were removed, and
only 32 of those had criminal conviction. There are at least 34,000 Cubans with final order of removal
due in large part to criminal convictions. (Quoting Lindsay Daniels, The End Of Special Treatment For
Cubans With Final Order Of Removal, 122 Dick L.R. 2,707 (2018) Cuban deportation are no where near
the pace required to reasonably process the backlog of individuals with pending removal orders. There is
no indication that the Cuban government's policy of refusing to accept detainees with criminal records
has materially changed even as the United States government has begun to re-arresting detainees who
where previously released under order of supervision. VEIGA v. BONDI. I.C.E have not obtained a travel
document from Cuba for me. Today is my 217 day in this Tacoma Washington Detention Center, 335
days in 1998 and 217 more days since my re-detention. The government states that ERO has removed
Cubans who have final orders of removal through a nomination process which ERO H.Q and the Cuban
government participate in. The Courts have made it clear that the government did not meet it's burden nor

was it persuasive enough to rebut that detention has become indefinite. (*Veiga v. Bondi*, 2025 U.S. Dist. LEXIS 254968 case NO. 2:25-cv-02168-TMC). Therefore my detention has become illegal. (*Zadvy v. Davis* 533 U.S, 678, 689, 121 S. Ct. 2491, 150 L. Ed. 2D 653 (2001) (Dkt. # 1 at 3). ICE has asked me multiple times if I would go to Mexico and every time I've answered NO! I would be persecuted, tortured, or kidnapped because I'm not Mexican and my religion. Therefore my removal is not in the foreseeable future. (*GIL v. LYONS*).

SIMILAR CASE GRANTING HABEAS UNDER CORPUS

Gil v. Lyons----*Veiga v. Bondi*

Kuot v. Bondi, 2025 U.S. Dist. LEXIS 267683 case NO. 2:25-cv-02313-BAT, [*9] also *Huyna v. Bondi*, C 25-2371-KKE, 2025 U.S. Dist. LEXIS 26538 (WD. WASH De. 23, 2025.

VERIFICATION

I, Humberto Jimenez Perez

, do hereby aver that the words above are the truth and the entire truth, that I will testify to those facts under penalty of perjury and I provide this information based upon personal belief that they are the facts of this matter, except where stated on personal belief. Submitted under the penalty of perjury of the laws of the United States.

//

Dated this

01/17/2026

Humberto Jimenez Perez

SIGNED

PROOF OF SERVICE

&

DECLARATION

I, ARIEL VALDES BATISTA, AVER THAT I AM A PARTY TO THIS ACTION DO HEREBY AVER THAT I HAVE PROVIDED A COPY OF THE FOREGOING DOCUMENT:

REPLY TO RESPONSE TO MOTION

U.S. District Court
Clerk's Office
700 Stewart Street, Suite 2310
Seattle, Washington 98101

Judge James L. Robart
700 Stewart Street, Suite ~~5220~~ 2310
Seattle WA. 98101-1271

I WILL TESTIFY UNDER THE PENALTY OF PERJURY THAT THIS IS THE TRUTH.

THE ITEMS WERE MAILED FIRST CLASS MAIL ON THE DATE BELOW.

SUBMITTED ON 01/17/2026

SIGNED *Humberto Jimenez Perry*