

District Judge Kymberly K. Evanson

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UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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MIKHAIL PETROV,

Case No. 2:25-cv-02647-KKE

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Petitioner,

FEDERAL RESPONDENTS'²
RESPONSE TO PETITIONER'S
MOTION FOR TEMPORARY
RESTRAINING ORDER

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v.

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LAURA HERMOSILLO¹, *et al.*,

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Respondents.

Noted for Consideration:
December 23, 2025.

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Respondents ask the Court to deny Petitioner's request for a temporary restraining order (TRO) because Petitioner fails to establish any threat of imminent, irreparable harm, as demonstrated by the below facts and timeline.

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On December 19, 2025, the United States District Court for the Western District of Washington issued General Order 10-25 regarding immigration habeas petitions under 28 U.S.C. § 2241. Paragraph 5 of General Order 10-25 pertains to TROs and reads as follows: "The standard scheduling order is intended to provide a prompt resolution to habeas petitions that should reduce

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¹ Pursuant to Fed. R. Civ. P. 25(d), Federal Respondents substitute Acting Seattle Field Office Director, Enforcement and Removal Operations, Immigration and Customs Enforcement Laura Hermosillo for Camilla Wamsley.

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² Respondent Bruce Scott is not a Federal Respondent and is not represented by the U.S. Attorney's Office.

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1 the contemporaneous filing of motions for temporary restraining orders seeking release from
2 custody or the relief that is otherwise requested by the habeas petition. **Motions for temporary**
3 **restraining orders should be reserved for matters where the petitioner alleges imminent,**
4 **irreparable harm**, such as imminent removal from the United States.” GO 10-25 (emphasis
5 added).

6 Petitioner Mihail Petrov filed the instant action on December 22, 2025. Dkt. 1. In response
7 to the Petition, the Court issued the standard scheduling order required by General Order 10-25.
8 Paragraph 3 of the scheduling order mandates that “Respondents shall provide the Petitioner(s)
9 and Petitioner(s)’ counsel in this habeas action at least 48 hours’ notice (or 72 hours’ notice if the
10 period extends into a weekend, holiday, or date the Court is closed) prior to any action to move
11 or transfer any Petitioner(s) from the Western District of Washington or to remove them from the
12 United States.” Dkt. 3. ICE is aware of the Court’s notice requirement and will comply with the
13 order.

14 Along with his Petition for Writ of Habeas Corpus (Dkt. 1), Petitioner filed a motion for
15 a TRO asking the Court to enjoin and restrain Respondents from: (1) removing or deporting
16 Petitioner from the United States while these proceedings are pending; and (2) transferring Mr.
17 Petrov from the Northwest ICE Processing Center to any other detention facility during the
18 pendency of these proceedings. Dkt. 2. Due to the notice requirements in the Court’s scheduling
19 order, however, Petitioner cannot establish a threat of imminent, irreparable harm, as ICE cannot
20 remove Petitioner from the United States or transfer him to another facility without first providing
21 at least 48-hours’ notice (or 72 hours’ notice if the period extends into a weekend, holiday, or
22 date the Court is closed), which ICE has not done. If ICE does provide notice of an intent to
23 remove or transfer Petitioner at some point in the future, he could then seek emergency injunctive
24 relief from the Court. Unless that occurs, Petitioner cannot demonstrate immediate, irreparable

1 harm, and the Court should decline to issue a TRO.

2 Dated this 23rd day of December, 2025.

3 Respectfully submitted,

4 CHARLES NEIL FLOYD
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16 *Attorneys for Federal Respondents*

17 I certify that this memorandum contains 434
18 words, in compliance with the Local Civil Rules.

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