

District Judge Tana Lin

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JUN REN,

Plaintiff,

v.

PAMELA BONDI, *et al.*,

Defendants.

No. 2:25-cv-02693-TL

FEDERAL RESPONDENTS' STATUS
UPDATE

On February 13, 2026, Petitioner's legal counsel submitted Notice of Removal and Respondent's Failure to Comply with Court's General Order. Dkt. 13 ("Notice"). Federal Respondents' submit the following to add context to Petitioner's Notice.

On January 29, 2026, Petitioner was ordered removed by an immigration judge. Declaration of Jordan Steveson ("Steveson Decl."), Exh. A, IJ Order. Petitioner's legal counsel in his immigration proceedings is the same legal counsel he has for this instant habeas matter. *Id.* Petitioner waived appeal of the removal order, which became final at that time. *Id.*

1 An audio recording of that hearing indicates that Petitioner's habeas legal counsel was present
2 at the June 29, 2026 immigration hearing.¹ Petitioner, through his legal counsel, communicated to
3 the immigration judge that he wanted to return to China "as soon as possible."

4 On January 30, 2026, Petitioner was notified by Immigration and Customs Enforcement
5 ("ICE") that he would be placed on a removal flight scheduled for February 6, 2026. Declaration of
6 Supervisory Detention and Deportation Officer Brett Booth ("Booth Decl."), ¶ 6. On January 30,
7 2026, ICE also asked its own Immigration and Customs legal counsel to inform Petitioner's counsel
8 of the imminent removal. Booth Decl. ¶ 6. Unfortunately, the undersigned was not informed by ICE
9 counsel of the planned removal. Due to this, the undersigned could not inform Petitioner's legal
10 counsel of the planned removal.

11 Petitioner's legal counsel asserts that "Respondents' failure to notify counsel in advance
12 deprived Petitioner of the opportunity to seek emergency relief from this Court prior to removal."
13 This is incorrect for three reasons.

14 First, such emergency relief is directly contradicted by Petitioner's wish to return to China as
15 quickly as possible, as expressed to the immigration court.

16 Second, there would be no legal basis to grant such an emergency order if notice had been
17 given. When Petitioner's order of removal became final, his statute of detention changed. 8 U.S.C.
18 §§ 1231(a)(1)(B)(i), 1231(a)(2)(A). As of January 29, 2026, ICE was directed by statute to remove
19 Petitioner. 8 U.S.C. § 1231(a)(1)(A). Petitioner no longer had an application for relief, nor did
20 Petitioner have a legal basis to remain in the United States. A habeas court does not have jurisdiction
21 to stop the execution of the removal order under such circumstances. 8 U.S.C. § 1252(g). Petitioner's
22 habeas petition was essentially moot.

23 _____
24 ¹ Undersigned listened to the audio recording. Federal Respondents' will provide a copy of the hearing recording next
week should this Court request it.

1 Third, there was no need for Petitioner's legal counsel to wait until ICE formally provided
2 notice of the removal to seek emergency relief if the intent was to stop the removal. Petitioner's legal
3 counsel knew that Petitioner was subject to the removal order at the moment it issued, because she
4 represented Petitioner in immigration court when it happened. If Petitioner's intent was to seek
5 emergency relief, Petitioner's legal counsel could have filed for such relief on January 29, 2026.
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7 Dated: February 13, 2026

Respectfully submitted,

9 s/ Jordan C. Steveson

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14 *Attorney for Federal Respondents*

15 *I certify that this memorandum contains 492 words, in*
16 *compliance with the Local Civil Rules.*
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