

District Judge Tana Lin

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

JUN REN,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

Case No. 2:25-cv-02693-TL

FEDERAL RESPONDENTS'¹ RESPONSE
TO ORDER OF FEBRUARY 17, 2026

Federal Respondents recognize that opposing counsel should have been provided at least 48 hours' notice, as required by General Order 10-25. Dkt. 3. The lack of notice to opposing counsel was wholly unintentional. This is not an excuse—Respondents fully recognize that any violation of an order of this Court is a serious matter regardless of the circumstances that led to such violation. Respondents concede that notice of the removal to opposing counsel should have been provided.²

¹ Respondent Bruce Scott is not a Federal Respondent and is not represented by the U.S. Attorney's Office.

² Petitioner's counsel has previously represented to the Court that if she had been given prior notice of the Petitioner's imminent removal she could possibly have sought emergency relief from this Court. Dkt. 13. Federal Respondents' argument concerning the circumstances of the Petitioner's removal were made only for the purpose of rebutting that argument. Respondents did not make that particular argument for purposes of minimizing or avoiding the fact that the failure to provide the required notice was a violation of this Court's Order that they were required to provide prior notice of a removal or transfer of the Petitioner.

1 As required by this Court's February 17, 2026 Order at Docket 13, Federal Respondents are
2 providing an audio recording of the January 29, 2026 immigration proceedings of Jun Ren.
3 Declaration of Jordan Steveson ("Steveson Decl."), Exh. B, Hearing Audio Recording.

4 The audio recording indicates that Petitioner was represented by his habeas legal counsel in
5 those proceedings and they were interpreted in a language that he understood. *Id.* Petitioner,
6 through his legal counsel, expressed a desire to return to China as soon as possible. *Id.* Petitioner,
7 through his legal counsel, requested voluntary departure or in the alternative an order of removal.
8 *Id.* Due to Petitioner's pending criminal charges, for which a jury trial was scheduled in March
9 2026, the Immigration Judge declined to grant voluntary departure. *Id.* Petitioner also reported that
10 he had discussed the decision with his family and that his decision was motivated by hardships
11 during detention, including medical deterioration. *Id.* Petitioner was ordered removed and appeal
12 was waived. *Id.*

13 Also included is the declaration of Deportation Officer Yralees Melendez ("Melendez
14 Decl."), which shows the efforts that ICE went through to ensure that Petitioner had notice. On
15 January 30, 2026, Deportation Officer Melendez personally met with Petitioner and telephonically
16 used the services of a professional Mandarin interpreter. Melendez Decl. ¶ 5. She advised
17 Petitioner that he would be removed within the next two weeks. *Id.* She reviewed Form I-205
18 Warrant of Removal, with Petitioner, explained what it was, and had Petitioner fingerprint and
19 sign the form. *Id.* ¶ 6. Throughout the meeting, Petitioner nodded his head in understanding at
20 appropriate moments and Deportation Officer Melendez believed that Petitioner wanted to be
21 removed to China. *Id.* ¶ 7.

22 That same date, Deportation Officer Melendez sent an email notifying ICE's Office of
23 Principal Legal Advisor ("OPLA") of the imminent removal and requested that notification be sent
24 to opposing counsel. Melendez Decl., ¶ 8. Unfortunately, the assigned OPLA attorney missed the

1 email and Deportation Officer Melendez did not seek affirmative confirmation that the email had
2 been acted on. *Id.* ¶ 9. Having alerted OPLA, Officer Melendez believed that opposing counsel
3 had been notified. *Id.*

4 The undersigned did not receive the notification of imminent removal from OPLA. Steveson
5 Decl. ¶ 3. On February 9, 2026, the undersigned learned from opposing counsel that Petitioner had
6 been removed to China. *Id.* That same date, the undersigned checked with OPLA and inquired
7 about what happened. *Id.* The assigned OPLA attorney advised the undersigned that he did not see
8 the January 30, 2026 email and acknowledged his mistake in not notifying the undersigned.

9 In summary, the assigned Deportation Officer notified the Petitioner of his imminent
10 removal and attempted also to communicate that information to the Petitioner's legal counsel
11 through the established process of communicating that information also to OPLA. However, due
12 to an unintentional error, *i.e.*, the missed email and an assumption that the email had been acted
13 upon, neither the undersigned nor opposing counsel was notified of the imminent removal.

14 ICE has learned from this incident. ICE already puts a hold in the database to prevent
15 inadvertent transfer or removal of detainees. Declaration of Assistant Field Office Director Jamie
16 Burns ("Burns Decl.") ¶ 4. Because of this incident, all Enforcement Removal Operations officers
17 in Tacoma have been instructed to obtain affirmative confirmation from OPLA, that notice to
18 opposing counsel was provided at least 48-72 hours prior to transfer or removal. *Id.* ¶ 6. ICE
19 officers have also been instructed to document in the case tracking system that they received
20 affirmative confirmation of timely notification before transferring or removing any individual. *Id.*

21 The removal of Petitioner to China without providing the required prior notice to Petitioner
22 was the unfortunate result of an inadvertent error for which Respondents apologize and have now
23 implemented measures to avoid a repetition.

1 For the foregoing reasons, Federal Respondents respectfully request that the Court conclude
2 that no further measures are warranted.

3
4 DATED this 20th day of February, 2026.

5 Respectfully submitted,

6 s/ Jordan C. Steveson

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11 *Attorney for Federal Respondents*

12 *I certify that this memorandum contains 824 words,*
13 *in compliance with the Local Civil Rules.*