

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Samuel CRUZ SANTIAGO and Marco
PEREZ PEDROZA,

Petitioners,

v.

Laura HERMOSILLO, Seattle Acting Field
Office Director, Enforcement and Removal
Operations, U.S. Immigration and Customs
Enforcement (ICE); U.S. DEPARTMENT OF
HOMELAND SECURITY; EXECUTIVE
OFFICE FOR IMMIGRATION REVIEW;
Bruce SCOTT, Warden, Northwest ICE
Processing Center,

Respondents.

Case No. 2:25-cv-2700

**PETITION FOR WRIT OF
HABEAS CORPUS**

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

FACTS

1. Petitioners Samuel Cruz Santiago and Marco Perez Pedroza bring this petition for a writ of habeas corpus to seek enforcement of their rights as members 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.*

Petitioner Samuel Cruz Santiago

4. Petitioner Samuel Cruz Santiago 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 Northwest ICE Processing Center (NWIPC) after being apprehended by U.S. Immigration and Customs Enforcement (ICE) on or around November 11, 2025, *see* Ex. A;²
- (b) entered the United States without inspection around January 2011 and was not apprehended upon arrival; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

5. After apprehending Mr. Cruz Santiago on or around November 11, 2025, the Department of Homeland Security (DHS) placed him in removal proceedings pursuant to

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).

² All exhibit citations are to the authenticating declaration of Leila Kang filed contemporaneously with this petition.

1 8 U.S.C. § 1229a. DHS has charged Petitioner as being inadmissible under 8 U.S.C.
2 § 1182(a)(6)(A)(i), as someone who entered the United States without inspection. Ex. B.

3 **Petitioner Marco Antonio Perez Pedroza**

4 6. Petitioner Marco Perez Pedroza is a member of the Bond Denial Class, as he:

5 (a) does not have lawful status in the United States and is currently detained at
6 NWIPC after being apprehended by DHS on or around December 2, 2025, *see*
Ex. C;

7 (b) last entered the United States without inspection around March 2004 and was
8 not apprehended upon arrival;

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

10 7. After apprehending Mr. Perez Pedroza on or around December 5, DHS placed
11 him in removal proceedings pursuant to 8 U.S.C. § 1229a. Upon information and belief, DHS
12 has charged Mr. Perez Pedroza as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as
13 someone who entered the United States without inspection. *See id.* at 2.

14 8. The Court should expeditiously grant this petition.

15 9. For all Petitioners, Respondents are bound by the judgment in *Rodriguez Vazquez*,
16 as it has the full “force and effect of a final judgment.” 28 U.S.C. § 2201(a). Nevertheless,
17 Respondents continue to flagrantly defy the judgment in that case and continue to subject
18 Petitioners to unlawful detention despite their clear entitlement to consideration for release on
19 bond as Bond Denial Class members.

20 10. The Court should accordingly order that within one day, Respondent DHS must
21 release any petitioner who has received an alternative bond order by an IJ, or allow for those
22 petitioners’ release upon payment of the alternative bond amount set by the IJ.

23 11. For any Petitioner without an alternative bond order, the Court should order their
24 release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days
25 of Petitioner’s request.

JURISDICTION & VENUE

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

13. Venue is proper in this District because Petitioners are detained at the NWIPC in Tacoma, Washington. Venue is also proper under 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and a substantial part of the events or omissions giving rise to the claims occurred in this District.

PARTIES

14. Petitioner Samuel Cruz Santiago was apprehended by immigration officers on November 11, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

15. Petitioner Marco Perez Pedroza was apprehended by immigration officers on or around December 2, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

16. Respondent Laura Hermosillo is the Seattle Acting 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.

17. 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.

18. 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.

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

4 **CLAIMS FOR RELIEF**

5 **Violation of the INA:**

6 **Request for Relief Pursuant to *Rodriguez Vazquez***

7 20. Petitioners repeat, re-allege, and incorporate by reference each and every
8 allegation in the preceding paragraphs as if fully set forth herein.

9 21. As members of the Bond Denial Class, Petitioners are entitled to consideration for
10 release on bond under 8 U.S.C. § 1226(a).

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

13 23. Respondents are parties to *Rodriguez Vazquez* and bound by the Court's
14 declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C.
15 § 2201(a).

16 24. By denying Petitioners a bond hearing under § 1226(a) and asserting that they are
17 subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioners' rights under
18 the INA and this Court's judgment in *Rodriguez Vazquez*.

19 **PRAYER FOR RELIEF**

20 WHEREFORE, Petitioners pray that this Court grant the following relief:

- 21 a. Assume jurisdiction over this matter;
- 22 b. Issue a writ of habeas corpus requiring that within one day, Respondents release
- 23 any Petitioner with an alternative bond order unless Respondents allow for their
- 24 release upon payment of the alternative bond amount and any other conditions set
- 25 by the IJ;
- 26
- 27

- 1 c. Issue a writ of habeas corpus as to any Petitioners without an alternative bond
2 order requiring Respondents to provide a bond hearing under 8 U.S.C. § 1226(a)
3 within seven days of a request from Petitioners;
- 4 d. Order that upon Petitioners' release, Respondents must return to Petitioners any
5 personal property, including personal identification documents (other than a
6 passport) and employment authorization documents;
- 7 e. Award Petitioners attorney's fees and costs under the Equal Access to Justice Act
8 (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under
9 law; and
- 10 f. Grant any other and further relief that this Court deems just and proper.

11 DATED this 26th of December, 2025.

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