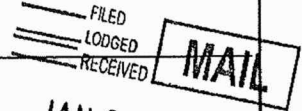


United States District Court  
West District of Washington  
At Seattle



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

BY

DEPUTY

Luis Sanchez-Alfonso, ) Case No. 2:25-cv-02748-TL  
Petitioner, )

v. ) Memorandum of

Pamela Bondi et al., ) Points And Authorities  
Respondents. ) Supportive of Habeas  
Corpus Relief

• Aforesaid petitioner hereby submits this Memorandum of Points And Authorities to support his habeas petition.

• ① Failure - provide - apt notice / prompt post  
Arrest Interview

• "When a petitioner is provided notice on the same day that their informal interview is conducted, they are substantially prejudiced in preparing competent arguments and/or gathering documents to regain their freedom. What results from such a situation is a deprivation of a meaningful opportunity to be heard on the incredibly important issue of re-obtaining their freedom." *Saengphet v. Naeem*, 2025 U.S. Dist. Lexis 228889, at 20-21 (S.D. Cal. Nov. 2025).

///

///

memorandum - Habeas

1-5

The court in Saengphet v. Noem, supra, went on to delineate the government's action of providing notice on same day as said interview as "egregious" and "compelling petitioner to contest his re-detention blindly." Id. ☆ at 21. Hence, the government therein "failed to satisfy the notice requirement" mandated by 241.13(c)(3). Id. ☆ at 21.

• "[T]he purpose of an Immigration detention's initial informal interview is similar... to a criminal detention hearing. That interview afford[s] the [noncitizen] an opportunity to respond to the reason for revocation... as well as to submit any evidence.... The chance to advocate for release must ordinarily come within a few days of a criminal arrest. Surely, it must happen at least that quickly in the more constitutionally protected civil-arrest arena, too." Soryadvongsa v. Noem, 2025 U.S. Dist. Lexis 221590, ☆ 6-7 (S.D. Cal. Nov 2025).

The Soryadvongsa court held "29" days was too late for the government to wait before providing said interview; ergo, due process violation occurred. M. S. L. v. Bastock, 2025 U.S. Dist. Lexis 162519 ☆ at 11 (Eug. Or. Aug 2025) (ruled 27 days insufficient); Phetradakone v. Scott, 2025 U.S. Dist. Lexis 173785 (W.D. Wash. Sept 2025) (grant TRO for failure to provide said prompt interview). Vuong v. Becerra 2025 U.S. Dist. Lexis 267579, ☆ at 9-10 (E.D. Cal. Dec. 22 2025) (same). Zongho Zhu v. Genalo

2025 US Dist Lexis 166176 (S.D. NY 2025) (Same).  
 Diaz v. Kaiser, 2025 US Dist Lexis 113566 (N.D. Cal. June 2025) (Same). Roca v. Scott 2026 US Dist Lexis 3602, ~~at~~ 7 (W.D. Wash. Jan 2026) (granting habeas relief for failure to promptly provide notice and said interview). Diaz v. Kaiser 2025 US Dist Lexis 113566 (N.D. Cal. June 2025) (Same—no prompt post-arrest interview).

• The court in Roca v. Scott, supra, went on to grant habeas relief because petitioner's due process was violated over government's nonfeasance of not providing said notice and said post-arrest prompt interview. citing, inter alia Constantinou v. Bondi, 2025 US Dist Lexis 201394 (S.D. Cal. Oct. 2025).

• (2) Civil Immigration detention violative—due process; Pre-deprivation hearing before arrest

• "Nothing in Zadvydas... provides [respondents] with carte blanche to re-detain noncitizens without any process so long as the detention lasts under 3 months." Alva v. Kaiser, 2025 U.S. Dist Lexis 163060, ~~at~~ 11 (N.D. Cal. 2025).

"When [Petitioner] was released from initial detention on parole, petitioner took with him a liberty interest which is entitled to the full protections of the due process clause." Tesara v. Wamsley

2025 US Dist Lexis 179205, ☆ at 8 (W.D. Wash., Sept. 2025). "Petitioner has a significant private interest in not being detained without due process of law." Pinzon v. Semara, 2025 U.S. Dist Lexis 265804, ☆ at 8. "When petitioner was released from initial detention, she acquired a likely interest which entitled her to due process . . . . procedures used against her must adequately protect that interest." Cabanillas v. Geo Grp. 2025 US Dist Lexis 265808, ☆ at 9 (C.D. Cal. Dec. 24 2025).

• "Arbitrary civil detention is not a torture of an American government." Rodriguez v. Marin, 909 F.3d 252-57 (9<sup>th</sup> Cir 2018). "Given the civil context [of immigration detention] [petitioner's] liberty interest is arguably greater than the interest of [criminal] parolees." Guillermo M.R. v. Kaiser, 791 F. Supp. 3d 1021, 1030 (N.D. Cal. July 2025).

• Recently, courts within the 9<sup>th</sup> Circuit have been ruling DHS/ICE's actions of revoking non-citizen's release violate federal due process unless they provide noncitizens with a pre-deprivation/custody hearing before an impartial arbiter. See Khim v. Bondi, 2025 US Dist Lexis 261018, ☆ 10-11 (W.D. Wash. Dec. 2025) (government's action) "in arresting and in detaining a noncitizen without a hearing [are] low where the noncitizen was already released [.]". Montazian v. Noem, 2025 US Dist Lexis 266022 (granting TRO for not providing

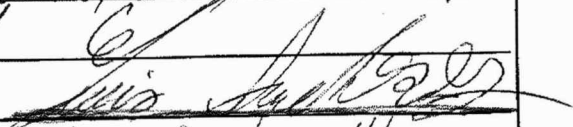


pre-deprivation hearing before revocation); *Awninder*  
*It. S. v. Noem*, 2025 U.S. Dist Lexis 265815 (E.D.  
 Cal. 2025) (Same); *Cabanilla v. Geo Grp., Inc.*  
 2025 US Dist Lexis 265808 (E.D. Cal. Dec. 2025) (Same).

"Petitioner's interest in liberty is a constitutional  
 right which may only be revoked through methods  
 that comport with due process, such as a hearing in  
 front of a neutral party to determine whether  
 Petitioner's re-detainment is warranted." *Tesara v. Wamsley*  
*Supra*, ★ at 9. "The factual dispute as to petitioner's  
 alleged parole violation should be resolved at a  
 pre-deprivation hearing, rather than resolved after  
 the fact by this Court. *Tesara v. Wamsley*, 2025  
 US Dist Lexis 231958, ★ at 17 (subsequent  
 history).

"The default status...after 90 day removal period is  
 release on condition, not detention [.] " *Alva v. Kaiser*,  
 2025 US Dist Lexis 163060, ★ at 8 (N.D. Cal. 2025);  
*Timina v. Workford*, 2025 U.S. Dist Lexis 227935, ★ 9  
 (E.D. Cal. 2025) (Same); cf. *Khotesouvan v. Morones*  
 386 F.3d 1298, 1299 (9th Cir. 2007) ("colorable claim"  
 when 90 day removal expires, if removal unlikely).

Dated this 12 day of Jan, 2026, Respectfully submitted,

  
 Luis Sanchez-Alfonso  
 Pro Se Petitioner

Memorandum - Habeas

5-5

12/11/2025

**Property Withheld Receipt**

Northwest Ice Processing Center

**File No.** A- 

**Housing** 

**Detainee** SANCHEZ-ALFONSC LUIS

**Location** 

**Inventory Officer** mcamacho

12/11/25

PROPERTY APPROVED BY ICE OFFICER WAS DROPPED OFF VIA PUBLIC ENTRANCE AND WAS RECEIVED BY OFFICER HARRISON.

ACCESSED DETAINEE PROPERTY BAG TO ADD 1 METAL EYEGLASSES INSIDE A HARD CASE, 1 EMPTY SAMSUNG BOX.

ACCESSED DETAINEE VP TO ADD 1 SAMSUNG CELL PHONE (CELL PHONE HAS NO CRACKS OR ANY VISUAL DAMAGES)..CAMACHO..

\_\_\_\_\_  
Total Items

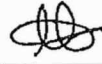
\_\_\_\_\_  
Condition of Property

I certify that the above is a correct listing of All Items that were removed from my possession at the time I was placed in Northwest ICE Processing Center.

12/11/2025

\_\_\_\_\_  
Detainee Signature / Date

\_\_\_\_\_  
Supervisor Signature / Date

 CAMACHO 12/11/2025

\_\_\_\_\_  
Staff Signature / Date

12/11/2025

\_\_\_\_\_  
Staff Signature / Date