

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Esteban ACEVEDO GOMEZ, Bianca
GARAY VAZQUEZ, Israel GARCIA
PANTOJA, Maria Cristina GARCIA PEREZ,
Edgar Daniel OROZCO VILLANUEVA, and
Adolfo PEREZ CURIEL,

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. 2:26-cv-00006

**PETITION FOR WRIT OF
HABEAS CORPUS**

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

FACTS

1. Petitioners Esteban Acevedo Gomez, Bianca Garay Vazquez, Israel Garcia Pantoja, Maria Cristina Garcia Perez, Edgar Daniel Orozco Villanueva, and Adolfo Perez Curiel 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 Esteban Acevedo Gomez

4. Petitioner Esteban Acevedo Gomez 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 December 8, 2025, *see* Ex. A;²
 - (b) entered the United States without inspection around 2007 and was not apprehended upon arrival; and
 - (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

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 5. After apprehending Mr. Acevedo Gomez on or around December 8, 2025, the
2 Department of Homeland Security (DHS) placed him in removal proceedings pursuant to
3 8 U.S.C. § 1229a. DHS has charged Petitioner as being inadmissible under 8 U.S.C.
4 § 1182(a)(6)(A)(i), as someone who entered the United States without inspection. Ex. B.

5 6. On December 31, 2025, Immigration Judge (IJ) John Odell denied Mr. Acevedo
6 Gomez's request for bond based on lack of jurisdiction and granted an alternative bond amount
7 of \$10,000. Ex. C.

8 **Petitioner Bianca Garay Vazquez**

9 7. Petitioner Bianca Garay Vazquez is a member of the Bond Denial Class, as she:

10 (a) does not have lawful status in the United States and is currently detained at
11 NWIPC after being apprehended by DHS on or around December 11, 2025,
 see Ex. D;

12 (b) last entered the United States without inspection around 1991 and was not
 apprehended upon arrival;

13 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.
14

15 8. After apprehending Ms. Garay Vazquez on or around December 11, 2025, DHS
16 placed her in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as
17 being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States
18 without inspection. Ex. E.

19 **Petitioner Israel Garcia Pantoja**

20 9. Petitioner Israel Garcia Pantoja is a member of the Bond Denial Class, as he:

21 (a) does not have lawful status in the United States and is currently detained at
 NWIPC after being apprehended by DHS in or around December, 2025;

22 (b) last entered the United States without inspection around 2006 and was not
23 apprehended upon arrival;

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

25 10. After apprehending Mr. Garcia Pantoja in or around December 2025, DHS placed
26 him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being
27

1 inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States
2 without inspection. Ex. F.

3 **Petitioner Maria Cristina Garcia Perez**

4 11. Petitioner Maria Cristina Garcia Perez is a member of the Bond Denial Class,
5 as she:

6 (a) does not have lawful status in the United States and is currently detained at
7 NWIPC after being apprehended by DHS on or around November 30, 2025, *see* Ex. G;

8 (b) last entered the United States without inspection around January 2024 and was
9 not apprehended upon arrival;

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

11 12. After apprehending Ms. Garcia Perez on or around December 5, DHS placed her
12 in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being
13 inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States
14 without inspection. Ex. H.

15 **Edgar Daniel Orozco Villanueva**

16 13. Petitioner Edgar Daniel Orozco Villanueva a is a member of the Bond Denial
17 Class, as he:

18 (a) does not have lawful status in the United States and is currently detained at
19 NWIPC after being apprehended by DHS on or around December 8, 2025, *see*
20 Orozco Villanueva Decl. ¶ 3;

21 (b) last entered the United States without inspection around 1990 and was not
22 apprehended upon arrival;

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

24 14. After apprehending Mr. Orozco Villanueva, DHS placed him in removal
25 proceedings pursuant to 8 U.S.C. § 1229a. Upon information and belief, DHS has charged Mr.
26 Orozco Villanueva as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who
27 entered the United States without inspection.

Petitioner Adolfo Perez Curiel

15. Petitioner Adolfo Perez Curiel 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 NWIPC after being apprehended by DHS on or around November 12, 2025, *see* Ex. I;

(b) last entered the United States without inspection around December 1997 and was not apprehended upon arrival;

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

16. After apprehending Mr. Perez Curiel on or around November 12, 2025, DHS placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Mr. Perez Curiel as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection. Ex. J.

17. On December 29, 2025, IJ Odell denied Mr. Perez Curiel's request for bond based on lack of jurisdiction and granted an alternative bond amount of \$10,000. Ex. K.

18. The Court should expeditiously grant this petition.

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

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

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

JURISDICTION & VENUE

22. 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.

23. 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

24. Petitioner Esteban Acevedo Gomez is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

25. Petitioner Bianca Garay Vazquez is currently detained at NWIPC. She is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

26. Petitioner Israel Garcia Pantoja is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

27. Petitioner Maria Cristina Garcia Perez is currently detained at NWIPC. She is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

28. Petitioner Edgar Daniel Orozco Villanueva is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

29. Petitioner Adolfo Perez Curiel is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

30. 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.

1 31. Respondent U.S. Department of Homeland Security (DHS) is the federal agency
2 responsible for implementing and enforcing the Immigration and Nationality Act (INA),
3 including the detention and removal of noncitizens.

4 32. Respondent Executive Office for Immigration Review (EOIR) is the federal
5 agency responsible for implementing and enforcing the INA in removal proceedings, including
6 for custody redeterminations in bond hearings.

7 33. Respondent Bruce Scott is employed by The Geo Group, Inc., as Warden of the
8 NWIPC, where Petitioners are detained. He has immediate physical custody of Petitioners. He is
9 sued in his official capacity.

10 **CLAIMS FOR RELIEF**

11 **Violation of the INA:**

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

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

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

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

19 37. Respondents are parties to *Rodriguez Vazquez* and bound by the Court's
20 declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C.
21 § 2201(a).

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

25 **PRAYER FOR RELIEF**

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

27 a. Assume jurisdiction over this matter;

- b. Issue a writ of habeas corpus requiring that within one day, Respondents release any Petitioner with an alternative bond order unless Respondents allow for their release upon payment of the alternative bond amount and any other conditions set by the IJ;
- c. Issue a writ of habeas corpus as to any Petitioners without an alternative bond order requiring Respondents to provide a bond hearing under 8 U.S.C. § 1226(a) within seven days of a request from Petitioners;
- d. Order that upon Petitioners' release, Respondents must return to Petitioners any personal property, including any personal identification document (other than a passport) and any employment authorization document;
- e. Award Petitioners attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- f. Grant any other and further relief that this Court deems just and proper.

DATED this 2nd day of January, 2026.

s/ Matt Adams
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