

Name: *José Navarro Martínez*
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TACOMA, WASHINGTON 98421



JAN 30 2026

UNITED STATES DISTRICT COURT

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

IN AND FOR THE WESTERN DISTRICT OF WASHINGTON

Name: *Navarro Martinez Jose*

Petitioner

vs.

ICE Field Office Director

Respondent

) Case No. *2:26-CV-00032*

) **REPLY TO RESPONSE TO MOTION**

The Petitioner is currently held in custody of the Attorney General at Tacoma's Northwest Detention Center in Tacoma Washington.

Here, the Petitioner moves this Court to

1. Be immediately released from detention under *Zadvydas v. Davis*, 533 U.S. 678, 689, 121. S. Ct. 2491, 150 L. Ed. 2D 653 (2001);[*702] V. 208 F. 3d at 831 and n. 30.
2. Provide me with a hearing in which the government must show I'm a risk of flight or danger to the community before re-detaining me as required by the due process clause.
3. Not to remove me to a third country in an unconstitutionally, punitive manner and provide me with a notice and an opportunity to respond to any third country removal attempt in a re-opened removal proceeding. (*KHIM v. BONDI*)

1 I Was born in Cuba [REDACTED] and
 2 I Came To The U.S.A in 2022. Do to a criminal
 3 conviction I was giving a removal order by an
 4 immigration Judge on November 3rd 2025. Ero is
 5 not successfully removing detainees To Cuba, I was
 6 placed on an order of supervision.

7 DETENTION

8 I was paroled on supervision on July 7th 2022.
 9 My removal To Cuba is unlikely or nonexistent
 10 because Cuba has been extremely reluctant to accept
 11 individuals with criminal records. I came to
 12 America seeking asylum and I believed I was gran-
 13 ted asylum when placed on parole. Consider a
 14 traitor to my country for leaving in 2022. Although
 15 ICE arrested 419 Cuban's citizen's in fiscal year
 16 2025, only 133 Cuban's were removed, and only 32 of those
 17 had criminal conviction. There are at least 34,000
 18 Cuban's with final order of removal due in large
 19 part to criminal convictions. (Quoting Lindsay Daniels
 20 The End Of Special Treatment For Cubans With Final
 21 Order Of Removal, 122 Dick L.R. 2, 707 (2013) Cuban
 22 deportation are no where near the pace required
 23 to reasonably process the backlog of individuals
 24 with pending removal orders. There is no indication
 25 that the Cuban government's policy of refusing
 26 to accept detainees with criminal records has
 27 materially changed even as the United State
 28 government has begun re-arresting detainees who
 were previously released under order of supervision.
 VEICAV. BONDIT.

ICE has not obtained a travel document from
 Cuba for me, nor is it co-operating with ICE
 deportation process. Today is my 316th day in this
 Tacoma Washington Detention Center (10 months
 here and 6 months in BTC, and 5 months
 in Krome at miami FL, way past the presump-
 tive 120 days. The government states that ERO has
 removed Cubans who have final orders of removal
 through a nomination process which ERO HQ
 and the Cuban government participate in yet
 they could not answer any factual questions
 when it came to said program. The Courts
 have made it clear that the government did not
 meet it's burden nor was it persuasive enou-
 gh to rebut that said detention has become infi-
 nite. (Veiga v. Bonchi; 2025 U.S. Dist. Lexis 254968
 case NO. 2:25-cv-02168-TMC). Therefore my detention has
 become illegal under (Zachry v. Davis 533 U.S. 678, 689, 121
 S.Ct. 2491, 150 L. Ed. 2D 653 (2001) (DKT.# 1 at 3)) ICE has
 asked many Cubans if they would go to Mexico as
 of today and almost all have refused, just as I will
 refuse and say NO cause I would be persecuted, tortured,
 or kidnapped because I'm not Mexican and my Religion.
 Therefore my removal is not in the foreseeable future.

SEATTLE CASE GRANTING HABEAS CORPUS 224

Gilv. Lyons--- Veiga v. Bonchi

Kuat v. Bonchi, 2025 U.S. Dist. LEXIS 267683 case NO.

2:25-cv-02313-BAT. [9] also Huyna V. Bonchi,

C 25-2371-KKE, 2025 U.S. Dist. LEXIS 26532 (WD.

WASH DC. 23, 2025.

VERIFICATION

I, *José Navarro Martínez*, do hereby aver that the words above are the truth and the entire truth, that I will testify to those facts under penalty of perjury and I provide this information based upon personal belief that they are the facts of this matter, except where stated on personal belief. Submitted under the penalty of perjury of the laws of the United States.

//

Dated this 1/22/26



SIGN _____

PROOF OF SERVICE

&

DECLARATION

I, Josi Navano Martinez, AVER THAT I AM A PARTY TO THIS ACTION DO
HEREBY AVER THAT I HAVE PROVIDED A COPY OF THE FOREGOING DOCUMENT:

REPLY TO RESPONSE TO MOTION

**U.S. District Court
Clerk's Office
700 Stewart Street, Suite 2310
Seattle, Washington 98101**

CHARLES NEIL FLOYD

700 Stewart Street, Suite 5220
Seattle WA. 98101-1271

I WILL TESTIFY UNDER THE PENALTY OF PERJURY THAT THIS IS THE TRUTH.

THE ITEMS WERE MAILED FIRST CLASS MAIL ON THE DATE BELOW.

SUBMITTED ON 1/22/24

SIGN 