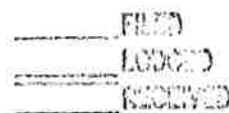


Name: *Oleg Babak*
1623 EAST 7 STREET SUITE FIVE
TACOMA, WASHINGTON 98421



FEB 06 2026

UNITED STATES DISTRICT COURT
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
IN AND FOR THE WESTERN DISTRICT OF WASHINGTON
BY DEPUTY

Name: *Oleg Babak*
Petitioner
vs.
ICE Field Office Director
Respondent

) Case No. *2:26-cv-00055-TSZ*

) 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 USSR in 1977. I came
2 to United States of America on August 8th
3 1989 as a refugee, my family running from
4 persecution for our political & religious
5 beliefs. Due to a criminal conviction in 1998
6 I was placed in ICE detention for a
7 period of 15 months, where a judge found
8 me removable and ordered me deported on
9 4/27/1999. After a review totaling 450
10 days I was placed on order of supervision.

11 RE-DETENTION.

13 I was picked up on a notice of revocation
14 of my release, when I went to check in
15 on false pretense of biometric need. This
16 occurred on December 16th 2025. I've now
17 been in Tocomo detention center for 34
18 days, for a total of 484 days, well past
19 the presumptive 180 days post conviction rule.

21 The Court's have made it clear that the
22 government did not meet its burden nor
23 was it persuasive enough to rebut that
24 said detention has become indefinite.
25 (Veiga v. Bondi, 2025 U.S. Dist. LEXIS 254968
26 case NO. 2:25-cv-02168-TMC). Therefore my
27 detention has become illegal. (Zadvydas v.
28 Davis 533 U.S. 678, 689, 121 S. Ct. 2491, 150 L.
Ed. 2D 653 (2001) (Dkt. #1a+3). ICE has

1 not asked me to choose a third country
2 but if the due I will not agree. My
3 safety would not be guaranteed.
4

5 **SIMILAR CASES GRANTING**
6 **HABEAS CORPUS UNDER 2241**
7

8 Bernik v. Bondi, 2025 U.S. Dist. Lexis 180619
9 Decyatnik v. Noem, 2025 U.S. Dist. Lexis 266796
10 Mikhaylich v. Marin, 2026 U.S. Dist. Lexis 3801
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PROOF OF SERVICE

FEB 06 2026

&

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

DECLARATION

BY

DEPUTY

I, *Oleg Babur*, 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**

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

1/30/2026

SIGNED

A handwritten signature in black ink, appearing to be "Oleg Babur", written over a horizontal line.



FEB 06 2026

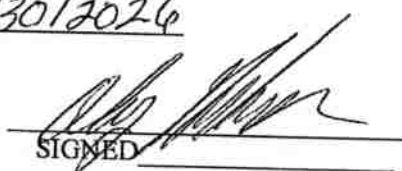
AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
VERIFICATION
BY _____ DEPUTY

I, *Oleg Babak*, 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

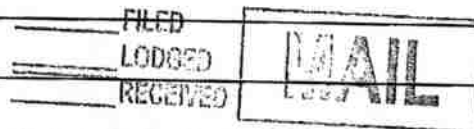
1/30/2026



SIGNED

I Oleg Babak, did not get
the response from the D.A.
and today is the 30th of January.

So I'm mailing in my traverse
so its not late.



FEB 06 2026

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