

DETAINED

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THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE, WASHINGTON

KULJEET SINGH

Petitioners,

v.

Cammilla WAMSLEY, Seattle Field Office
Director, Enforcement and Removal
Operations, United States Immigration and
Customs Enforcement (ICE); Bruce SCOTT,
Warden, Northwest ICE Processing Center;
Kristi NOEM, Secretary, United States
Department of Homeland Security; Pamela
BONDI, U.S. Attorney General; UNITED
STATES DEPARTMENT OF HOMELAND
SECURITY,

Respondents.

Case No.

**PETITION FOR WRIT OF HABEAS
CORPUS PURSUANT TO 28 U.S.C.
§ 2241**

INTRODUCTION

I. This case challenges Respondent's unlawful re- detention Kuljeet Singh, Petitioner is currently in the physical custody of Respondents at the Northwest Immigration and Customs Enforcement (ICE) Processing Center (NWIPC).

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PETITION FRO WRIT OF
HABEAS CORPUS

(CASE NO.

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1 2. Petitioner was apprehended shortly after entering the United States and thereafter
2 released for the purpose of continuing their removal proceedings. In the subsequent years
3 and months since his release, he had timely filed for asylum, fulfilled the conditions of
4 release as set by Immigrations and Customs Enforcement (ICE), attended removal
5 proceedings, and received employment authorization. Petitioner has no criminal
6 conviction in the United States or any other country.
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10 3. Despite Petitioners' compliance while released, including court attendance in removal
11 proceedings, he was abruptly and unlawfully detained by the Department of Homeland
12 Security (DHS) on December 01, 2025 when he went for his scheduled Check ICE- in.
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14 4. The Department of Homeland Security asserts that Seattle ERO management properly
15 approved a custody redetermination based on an alleged violation of the conditions of
16 Petitioner's Form I-220, Order of Release on Recognizance, which requires compliance
17 with all local, state, and federal laws. This assertion is legally unsupported. Petitioner's
18 prior arrest in Thurston County, Case No. 25-1-00597-34, does not constitute a violation
19 of law or a breach of the conditions of Form I-220, as he was released on a court-
20 approved bail bond and has not been convicted or adjudicated guilty of any offense.
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25 Under fundamental principles of due process, Petitioner is presumed innocent unless and
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1 until proven guilty. Accordingly, DHS has failed to establish a lawful basis for revocation
2 of Petitioner's release.

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4 5. Prior to re-detaining Petitioner, Respondents did not provide any written notice
5 explaining the basis for the revocation of their releases. Likewise, Respondents did not
6 assess whether Petitioners presented a flight risk or danger to the community or his re-
7 arrest.
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10 6. As this Court has recently held in multiple cases, due process demands a hearing prior to
11 the government's decision to terminate a person's liberty. *See E.A. T.-B. v. Wamsley*, ---
12 F. Supp. 3d --- No. C25-1192-KKE, 2025 WL 2402130, at *2-6 (W.D. Wash. Aug. 19,
13 2025);
14 *Ramirez Tesoro v. Wamsley*, --- F. Supp. 3d ---, No. 2:25-CV-01723-MJP-TLF, 2025 WL
15 2637663, at *2-4 (W.D. Wash. Sept. 12, 2025); *Ledesma Gonzalez v. Bostock*, No. 2:25-
16 CV-
17 01404-JNW-GIL, 2025 WL 2841574, at *7-9 (W.D. Wash. Oct. 7, 2025); *Kumar v.*
18 *Wamsley*,
19 No. 2:25-CV-01772-JHC-BAT, 2025 WL 2677089, at *2-4 (W.D. Wash. Sept. 17, 2025);
20 *Report & Recommendation, Lopez Reyes v. Wamsley*, No. 2:25-cv-01868-JLR-MLP
21 (W.D.
22 Wash. Oct. 15, 2025), Dkt. 13. Many other courts have recently held the same.
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24 7. By failing to provide such a hearing, Respondents have violated Petitioners'
25 constitutional rights to due process.
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27 8. Accordingly, this Court should grant the instant petition for a writ of habeas corpus and
order immediate release. *See E. A. T. - B.* 2025 WL 2402130, at *6 (ordering immediate

1 release because “a post – deprivation hearing cannot serve as an adequate procedural
2 safeguard because it is after the fact and cannot prevent an erroneous deprivation of
3 liberty”); *Ramirez Tesara*, at *4(similar); *Kumar*, 2025 WL 2677078, at *3-4 (similar);
4 *Ledesma Gonzalez*, 2025 WL 2841574, at *9 (similar).
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7 JURISDICTION

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- 9 9. Petitioner is in the physical custody of Respondents and Immigration and Customs
10 Enforcement (ICE), an agency within the Department of Homeland Security (DHS). He
11 is detained at the Northwest Detention Center in Tacoma, Washington and is under the
12 direct control of Respondents and their agents.
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- 14 10. This action arises under the Constitution of the United States and the Immigration and
15 Nationality Act (INA), 8 U.S.C. § 1101 et seq.
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- 17 11. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28
18 U.S.C. § 1331 (federal question), and Article I, § 9, cl.2 of the United States Constitution
19 (Suspension Clause).
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- 21 12. This Court may grant relief under the habeas corpus statutes, 28 U.S. C. 42241 et seq.,
22 the Declaratory Judgement Act, 28 U.S. C. §2201 et seq., and All Writs Act, 28 U.S.C. §
23 1651.
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13. Nothing in the INA deprives this Court of jurisdiction, including 8 U.S.C. §§ 1252(b)(9), (f)(1), or 1226(e). Congress has preserved judicial review of challenges to prolonged immigration detention. See *Jennings v Rodriguez*, 138 S. Ct. 830, 839-41 (2018) (holding that 8 U.S.C. §§ 1252(b)(9) and 1226(e) do not bar review of challenges to prolonged immigration detention)).

VENUE

14. Venue is proper because Petitioners are in Respondents' custody at the NWIPC in Tacoma, Washington. Pursuant to *Braden v. 30th Judicial Circuit of Kentucky*, 410 U.S. 484, 493 – 500 (1973), venue lies in the judicial district in which Petitioner is currently in custody.

15. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391 because respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in the Western District of Washington.

REQUIREMENTS OF 28 U.S.C. § 2243

16. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the Respondents "forthwith," unless Petitioners are not entitled to relief. 28 U.S.C. § 2243. If an OSC is issued, the Court must require Respondents to file a return

1 “within three days unless for good cause additional time, not exceeding twenty days, is
2 allowed.” *Id.*

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4 17. Habeas Corpus is “perhaps the most important writ known to the constitutional law.....
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6 affording as it does a swift and imperative remedy in all cases of illegal restraint or
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8 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963). “The application for the writ
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10 usurps the attention and displaces the calendar of the judge or justice who entertains it
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12 and receives prompt action from him within the four corners of the application.” *Yong v.*
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14 *I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation Omitted); see also *Van Buskirk v.*
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16 *Wilkinson*, 216 F.2d 735, 737 – 38 (9th Cir. 1954) (habeas corpus is a “speedy remedy,
entitled by statute to special, preferential consideration to insure expeditious hearing and
determination)”

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PARTIES

18. Petitioner, Kuljeet Singh, A #  is an adult citizen of India, currently
detained at NWIPC in Tacoma, Washington.

19. Respondent Cammilla Wamsley is the Field Office Director for ICE’s Seattle Field
Office. The Seattle Field Office is responsible for local custody decisions relating to
noncitizens charged with removable from the United States. The Seattle Field Office’s

1 area of responsibility includes Alaska, Oregon, and Washington. Respondent Wamsley is
2 a legal custodian of Petitioners and is sued in her official capacity.

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4 20. Respondent Bruce Scott is employed by the private corporation. The GEO Group, Inc., as
5 Warden of the NWIPC, where Petitioners are detained. He has immediate physical
6 custody of Petitioners. He is sued in his official capacity.

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8 21. Respondent Kristi Noem is the Secretary of the Department of Homeland Security
9 (DHS). She is responsible for the implementation and enforcement of the Immigration
10 and Nationality Act (INA), and oversees ICE, which is responsible for Petitioners'
11 detention. Ms. Noem has ultimate custodial authority over Petitioners and is sued in her
12 official capacity.

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14 22. Respondent Pamela Bondi is the Attorney General of the United States, and as such has
15 authority over the Department of Justice. She is sued in her official capacity.

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17 23. Respondent U.S. Department of Homeland Security is the federal agency that has
18 authority over the actions of ICE.

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22 **FACTUAL BACKGROUND**

23 24. Petitioner Kuljeet Singh entered the United States on or around December 23, 2023 and
24 was apprehended by U. S. Customs and Border Patrol (CBP). After 3 days, he was
25 released on Order of recognizance. (Form I-220A). On the same day, CBP served
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1 Petitioner with a Notice to Appear (NTA) charging him under INA § 212(a)(6)(A)(i) as
2 an alien present without admission or parole. The NTA was filed with the Seattle
3 Immigration Court.
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5 25. Petitioner was detained by ICE during that reporting appointment and was subsequently
6 transferred to the Northwest Immigration Processing Center ("NWIPC") in Tacoma,
7 Washington, where he remains confined.
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10 26. Petitioner's detention was justified by ICE on the basis of pending state criminal charges
11 and an alleged violation of release conditions; however, Petitioner has no criminal
12 convictions in the United States or any other jurisdiction.
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15 27. Petitioner is currently in removal proceedings before the Tacoma Immigration Court,
16 with an Individual Calendar Hearing scheduled for January 27, 2026.
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18 28. Prior to Mr. Singh's re-arrest, Mr. Francois did not receive written notice of the reason for
19 his re-detention.
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21 29. Prior to Mr. Singh's re-arrest, ICE did not assess whether Mr. Francois presented a flight
22 risk or danger to the community, or whether his re-arrest was justified for some other
23 reason.
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25 30. Prior to Mr. Singh's re-arrest, Mr. Singh was not afforded a hearing before a neutral
26 decisionmaker to determine if his re-detention is justified.
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1 31. Since Petitioner's detention commenced, no Immigration Judge has conducted a
2 constitutionally adequate bond hearing. At no point has the Government borne the burden
3 of proving, by clear and convincing evidence, that Petitioner poses a danger to the
4 community or a risk of flight. Moreover, no meaningful consideration has been given to
5 less restrictive alternatives to detention, such as bond or supervised release, that would
6 allow Petitioner to remain in the community while complying with immigration
7 proceedings.

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11 32. Petitioner's detention has continued without the fundamental procedural safeguards
12 guaranteed under the Fifth Amendment's Due Process Clause. Petitioner has been
13 deprived of his liberty without an individualized assessment of the necessity of his
14 confinement, rendering the continued detention arbitrary, unreasonable, and in violation
15 of constitutional rights. This absence of a proper bond hearing and evaluation of
16 alternatives constitutes a clear denial of procedural due process and supports immediate
17 relief through this Petition for Writ of Habeas Corpus.
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22 LEGAL FRAMEWORK

23 Due Process Clause

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25 20. Due Process requires that if DHS seeks to re – arrest a person like Mr. Kuljeet Singh –
26 individuals who have lived in the United States without incident after DHS first released
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1 them, submitted applications for protection from removal, and otherwise complied with
2 the terms of their releases – the government must afford a hearing before a neutral
3 decisionmaker to determine whether any re – detention is justified, and whether the
4 person is a flight risk or danger to the community.
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7 21. “Freedom from imprisonment – from government custody, detention, or other forms of
8 physical restraint – lies at the heart of the liberty protected by the Due Process Clause.”
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10 *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). As this Court recently recognized, this is
11 “the most elemental of liberty interests.” *E.A.T. – B.*, 2025 WL 2402130, *3 (citation
12 modified); *see also* Ramirez Tesara, 2025 WL 2637663, at *3 (stating that the petitioner
13 had “an exceptionally strong interest in freedom from physical confinement”)
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16 22. Consistent with this principle, individuals released on parole or other forms of
17 conditional release have a liberty interest in their “continued liberty”. *Morrissey V.*
18 *Brewer*, 408 U.S. 471, 482 (1972).
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21 23. Such liberty is protected by the Fifth Amendment because the respondents violates their
22 own regulations in revoking the order of supervision. *United States ex rel. Accardi v.*
23 *Shaughnessy*, 347 U.S. 260 (1954).
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25 24. To protect against arbitrary re-detention and to ensure the right to liberty, due
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process requires “adequate procedural protections” that test whether the government’s asserted justification for a noncitizen’s physical confinement “outweighs the individual’s constitutionally protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690 (citation modified).

25. Several courts, including this one, have recognized that these principles apply with respect to the re-detention of the many noncitizens that DHS has arbitrarily begun taking back into custody, often after such persons have been released for months and years.

26. For example, in *E.A. T-B.*, this Court applied the *Mathews v. Eldridge*, 424 U.S.319 (1976), framework to hold that even in a case where the government asserted that mandatory detention initially applied, a person’s re-detention could not occur absent a hearing. The Court did the same in *Ramirez Tesara*, *Kumar*, and *Ledesma Gonzalez*. See *Ramirez Tesara*, 2025 WL 2637663, at *2–3; *Kumar*, 2025 WL 2677089, at *2–3; *Ledesma Gonzalez*, 2025 WL 2841574, at *7–8.

27. In applying the three *Mathews* factors, the *E.A. T-B.* court held that the petitioner had “undoubtedly [been] deprive[d] . . . of an established interest in his liberty,” 2025 WL 2402130, at *3, which, as noted, “is the most elemental of liberty interests,” *id.* (citation modified). The Court further explained that even if detention was mandatory, the risk of

1 erroneous deprivation of liberty without a hearing was high because a hearing serves to
2 ensure that the purposes of detention—the prevention of danger and flight risk—are
3 properly served. Id. at *4–5. Finally, the Court explained that “the Government’s interest
4 in re-detaining non-citizens previously released without a hearing is low: although it
5 would have required the expenditure of finite resources (money and time) to provide
6 Petitioner notice and hearing on [ISAP] violations before arresting and re-detaining him,
7 those costs are far outweighed by the risk of erroneous deprivation of the liberty interest
8 at issue.” Id. at *5. As a result, this Court ordered the petitioner’s immediate release. Id.
9 at *6.

14 28. The *Kumar* and *Ledesma Gonzalez* courts reached the same decision, again holding that
15 all three factors weighed in favor of affording the petitioner a bond hearing. 2025 WL
16 2677089, at *3–4; 2025 WL 2841574, at *7–9; *see also* Report & Recommendation,
17 *Lopez Reyes*, No. 2:25-cv-01868-JLR-MLP (W.D. Wash. Oct. 15, 2025), Dkt. 13 (same)

21 29. This Court’s decisions in *E.A. T.-B.*, *Ramirez Tesara*, *Kumar*, and *Ledesma Gonzalez* are
22 consistent with many other district court decisions addressing similar situations. *See, e.g.*,
23 *Valdez v. Joyce*, No. 25 CIV. 4627 (GBD), 2025 WL 1707737 (S.D.N.Y. June 18, 2025)
24 (ordering immediate release due to lack of pre-deprivation hearing); *Garro Pinchi v*
25 *Noem*, --- F. Supp. 3d ---, No. 5:25-CV-05632-PCP, 2025 WL 2084921 (N.D. Cal. July
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24, 2025) (similar); *Makhlouf v. Murray*, No. 1:25-CV-00946 JLT SAB, 2025 WL 2299376 (E.D. Cal. Aug. 8, 2025) (similar); *Garcia v. Andrews*, No. 1:25-CV-01006 JLT SAB, 2025 WL 2420068 (E.D. Cal. Aug. 21, 2025) (similar).

30. The same framework and principles apply here and compel Petitioner's immediate release.

CLAIM FOR RELIEF

Violation of Fifth Amendment Right to Due Process

Procedural Due Process

31. Petitioners restate and reallege all the prior paragraphs as if fully set forth herein.

32. Due process does not permit the Government to re-detain Petitioner and strip him of his liberty without written notice and a pre-deprivation hearing before a neutral decisionmaker to determine whether re-detention is warranted based on danger to the community or risk of flight. See *Morrissey v. Brewer*, 408 U.S. 471, 487–88 (1972). Such written notice and a hearing must occur prior to any re-detention.

37. Respondents revoked Petitioner's release and deprived him of his liberty without providing written notice or a meaningful opportunity to be heard by a neutral decisionmaker before re-detention.

38. Petitioner is detained under INA § 236(a), which authorizes only civil, discretionary detention.

39. Petitioner has received **no constitutionally adequate bond hearing**. The Government has not borne the burden of establishing, by clear and convincing evidence, that Petitioner presents a danger to the community or a flight risk. Nor has any consideration been given to **less restrictive alternatives to detention**, such as bond or supervised release.

40. ICE's custody determination relies exclusively on **pending criminal charges** and boilerplate references to records checks, without conducting **any individualized analysis**. No neutral adjudicator has found that Petitioner presents a **danger to the community** or a **risk of flight** justifying continued confinement.

41. Detention based solely on **unproven allegations**, without individualized findings or consideration of alternatives, violates the **Due Process Clause of the Fifth Amendment**. Petitioner's continued detention is therefore **arbitrary, unreasonable, and unconstitutional**.

42. Petitioner's detention has continued without the fundamental procedural safeguards guaranteed by the Fifth Amendment. Petitioner has been deprived of his liberty without an individualized assessment of necessity, and no Immigration Judge has conducted a constitutionally adequate hearing to determine whether continued confinement is warranted.

PRAYER FOR RELIEF

WHEREFORE, Petitioners respectfully request that this Court:

- (1) Assume jurisdiction over this matter;
- (2) Issue an Order to Show Cause ordering Respondents to show cause within three days as to why this Petition should not be granted as required by 28 U.S.C. § 2243, and ordering that they not transfer Petitioners out of this district during the pendency of the court's adjudication of this petition;
- (3) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody immediately and permanently.
- (4) Declare that the re-detention of Petitioners while removal proceedings are ongoing without first providing an individualized determination before a neutral decisionmaker violates the Due Process Clause of the Fifth Amendment;
- (5) Award Petitioners attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; and
- (6) Grant any further relief this Court deems just and proper.

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Dated: January 9, 2026

/s/ Jashan Multani

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