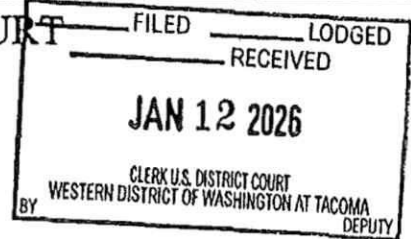


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the



Yorbys Rodriguez Chirinos
Petitioner

Pamela Bond, U.S. Attorney General / Kr...
+ Naomi, Secretary of DHS / Camille Rams-
ley, Seattle Office Director; Bruce Scott,
Warden of NWDC
Respondent

Case No. 2:26-cv-00109-LK
(Supplied by Clerk of Court)

(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Yorbys R. Chirinos
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Northwest Processing Center
(b) Address: 1623 E. J. St, Suite 5, Tacoma
WA 98421
(c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☒ Other - explain:
DHS/ICE
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☒ Other (explain): unlawful revocation of Immigration Probation;
unlawful/unconstitutional denial of bond or release

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: DHP/ICE in Tacoma, WA

(b) Docket number, case number, or opinion number: _____

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): _____

(d) Date of the decision or action: Nov 21, 2025**Your Earlier Challenges of the Decision or Action**7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☐ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☐ No

13.

• **Grand One:** Respondents transgressed ICE-OSUP regulations, APA, Accardi doctrine and/or petitioner's right to procedural/substantive Due Process under the Federal 5th Amendment when they failed to provide apt notice And/Or a timely informal interview thereafter.

(a) Supportive Facts / Authorities

• In May 2024, petitioner voluntarily presented himself to the border officials of El Paso Texas; thereafter, he was paroled into the USA soon thereafter. In November 21, 2025, petitioner was arrested by DHS/ICE. As of January 06, 2026, respondents haven't provided him with the required apt notice And/or the mandated informal prompt interview after arrest.

• *Soryaduangsa v. Noem*, 2025 US Dist Lexis 221590, *6-7 (S.D. Cal. Nov. 2025); *Saengphet v. Noem*, 2025 US Dist Lexis 22888, *19 (S.D. Cal. Nov. 2025).

• **Grand two:** Respondents transgressed petitioner's right to procedural/substantive due process under the 5th Amendment when they failed to provide a pre-deprivation court hearing by an impartial decision-maker before OSUP revocation.

///

///

///

(a) Supportive Facts/Authorities

• Petitioner incorporates by reference section (a) of grand one hereinbefore and further avers that respondents have not provided him with a pre-deprivation / custody hearing before an impartial decision-maker before revocation of OSUP prohibition.

• *Momtazan v. Noem*, 2025 US Dist 266022 (C.D. Cal 2025); *Khim v. Bondi*, 2025 US Dist Lexis 261018, ☆ 10-11 (W.D. Wash. Dec. 2025); *Pirchi v. Noem*, 792 F. Supp. 3d 1025, 1034 (N.D. Cal. 2025) (petitioner's "release from ICE custody constitutes an implied promise that her liberty would not be revoked unless she failed to live up to the conditions of her release.")

• *Grande three*: Respondents transgressed their regulations of bond and conditional release, APA, Accordi Doctrine and/or petitioner's right to procedural / substantive Due Process under the Federal 5th Amendment, when they denied him conditional release or bond under 235 (b)(1)(i), (b)(2)(A).

(a) Supportive Facts/Authorities

• On Dec 16, 2025, the IJ erroneously ruled it had no authority to release him via bond or otherwise under 8 CFR § 236 (b)(1)(i), (b)(2)(A). *Ramirez v. Noem*, 2025 US Dist Lexis 257220 (2025) (bond policy unlawful).

GROUND FOUR:

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes☐ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

Request for Relief

15. State exactly what you want the court to do:

Petitioner pray that this court grant the following:

- (a) immediately release petitioner under his most recent conditions of ICE-OSUP;*
- (b) enjoin respondents from re-detaining him unless they follow their own agency-rules concerning ICE-OSUP revocation;*
- (c) enjoin respondents from re-detaining him unless they provide him a pre-deprivation hearing before an impartial decision-maker;*
- (d) and/or any other relief this court finds just and equitable.*

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

01/06/2026

JORBY S RODRIGUEZ

Signature of Petitioner

Signature of Attorney or other authorized person, if any

Certificate of Service

• I, Yorby R. Chirinos, hereby certify that I served a true copy of my habeas petition on January 06, 2026; via the following methods, to the following respondents:

• via the grey ICE box located outside  Cammilla Wamsley, Seattle ICE Field Office Director

• via US mail: Pamela Bondi, US Attorney General, US Attorney's Office, 700 Stewart St, Seattle, WA 98102

• Certified by,

YORBY R. CHIRINOS
Yorby R. Chirinos
Petitioner