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District Judge Tiffany M. Cartwright

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FLORES GUADARRAMA, MANUEL and NAVARRO CEJA, CARLOS ENRIQUE Petitioners, v. BRUCE SCOTT, Warden of the Northwest ICE Processing Center; ALEJANDRO MAYORKAS, Secretary of the U.S. Department of Homeland Security Respondents.	CIVIL ACTION NO. 2:26-CV-00193-TMC **REPLY TO RESPONDENT'S RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS**

I. INTRODUCTION

Petitioners Manuel Flores Guadarrama and Carlos Enrique Navarro Ceja respectfully submit this consolidated reply to Federal Respondents' Return Memorandum. DHS's opposition relies on rigid statutory labels to justify continued detention, but the record—much of it supplied by DHS itself—demonstrates that both Petitioners are detained under legally defective frameworks that categorically deny meaningful custody review. Habeas relief is therefore warranted.

II. MANUEL FLORES GUADARRAMA

(Statutory Misclassification — Categorical Denial of Bond Review)

A. Flores Guadarrama Is Detained Under the Wrong Statute

Mr. Flores Guadarrama was apprehended in the interior of the United States, issued a Notice to Appear, and placed in removal proceedings. Nevertheless, DHS detained him under INA § 1225(b)(2), a statute governing applicants for admission. That misclassification foreclosed bond jurisdiction and deprived him of the custody framework mandated by INA § 1226(a).

B. The Immigration Judge's Bond Order Confirms the Legal Defect

The Immigration Judge denied bond solely for lack of jurisdiction based on DHS's statutory classification. The IJ's alternative findings only underscore the error: bond authority was denied as a matter of law, not discretion. Contrary to any "flight risk" designation, Mr. Flores Guadarrama has a vested interest in remaining compliant with all DHS requirements and appearing for all proceedings.

C. DHS Concedes Flores Guadarrama's Entitlement to Rodriguez-Based Relief

In its Return Memorandum, DHS expressly does not oppose treating Mr. Flores Guadarrama as a Rodriguez Vazquez Bond Denial Class member and agrees that the appropriate statutory framework is § 1226(a). Exhaustion is satisfied; the remaining issue is remedy.

III. CARLOS ENRIQUE NAVARRO CEJA

(Approved VAWA Self-Petitioner — Detention Untethered to Removal and Contrary to Humanitarian Protections)

A. Navarro Ceja Has a Recognized Humanitarian Immigration Status

DHS's opposition treats Mr. Navarro Ceja as a generic "arriving alien," but that characterization omits the most consequential fact in this case: USCIS has approved his VAWA self-petition and granted him deferred action.

On December 16, 2024, USCIS approved Mr. Navarro Ceja's Form I-360 and placed him under deferred action for fifteen months, expressly reflecting DHS's determination that removal was not anticipated during that period . VAWA approval is a formal DHS finding that the applicant is a victim of qualifying abuse, possesses good moral character, and merits humanitarian protection under federal law. This is not a speculative or provisional status; it is a recognized legal posture that carries substantive weight in custody analysis.

B. Custody Resulted Solely From Termination of Advance Parole After an I-485 Denial on a VAWA-Curable Ground

Mr. Navarro Ceja did not enter ICE custody because of new misconduct, flight risk, or a final removal order. He entered custody only because DHS terminated his Advance Parole following denial of his Form I-485.

The undisputed record establishes that DHS granted Mr. Navarro Ceja Advance Parole on multiple occasions, most recently authorizing travel through May 2029. He lawfully departed and returned to the United States in November–December 2024 pursuant to that authorization. Shortly thereafter, USCIS approved his I-360 and granted deferred action. USCIS later denied his I-485 solely under INA § 212(a)(9)(C)—a ground that Congress has made uniquely waivable for VAWA self-petitioners upon a showing of nexus between abuse and the conduct giving rise to inadmissibility.

Mr. Navarro Ceja is actively pursuing that specialized relief, and his appeal remains pending. DHS does not dispute these facts.

C. DHS Retains Exclusive Parole Authority and Has Been Presented With a Fully Developed Humanitarian Parole Request

Because DHS classifies Mr. Navarro Ceja as an arriving alien, it concedes that no Immigration Judge has bond jurisdiction and that parole rests exclusively with the Field Office

Director. On February 4, 2026, counsel submitted a detailed Emergency Request for Humanitarian Parole supported by extensive evidence, including Mr. Navarro Ceja's approved VAWA status, the severe impact of detention on his U.S. citizen children, documented mental-health concerns affecting a minor child, and his pending VAWA-specific relief.

Where DHS alone controls release and detention is prolonged despite pending humanitarian relief, parole discretion becomes the functional detention decision, rendering custody subject to habeas review.

D. Continued Detention Serves No Removal Purpose and Undermines VAWA's Statutory Design

DHS does not assert that Mr. Navarro Ceja's removal is imminent. Its own deferred-action grant confirms the opposite . Detaining a DHS-recognized domestic-violence survivor while he pursues the very statutory relief Congress created to protect him is arbitrary, punitive in effect, and inconsistent with the civil purposes of immigration detention.

IV. RELIEF REQUESTED

Petitioners respectfully request the following relief, tailored to each Petitioner's statutory posture but unified by the principle that continued detention is unlawful:

A. Primary Relief — Immediate Release of Both Petitioners

An order directing immediate release within twenty-four (24) hours for:

- **Carlos Enrique Navarro Ceja**, because detention is untethered to removal, no bond mechanism exists, and DHS has exclusive but unexercised parole authority; and
- **Manuel Flores Guadarrama**, because DHS's statutory misclassification has resulted in unlawful detention without a valid custody framework.

B. Alternative Relief — If the Court denies Primary Relief

1. **Manuel Flores Guadarrama:** An order requiring DHS to provide a § 1226(a) bond hearing within seven (7) days before an Immigration Judge with authority to grant release, with immediate release if DHS fails to comply.
2. **Carlos Enrique Navarro Ceja:** An order compelling DHS to adjudicate his pending humanitarian parole request within twenty-four (24) hours, or, in the alternative, to release him under appropriate conditions of supervision (including ATD or GPS monitoring), where detention no longer serves a lawful immigration purpose.

V. CONCLUSION

For both Petitioners, detention has become disconnected from its civil purpose and insulated from meaningful review. DHS's reliance on statutory labels cannot cure prolonged, arbitrary detention—particularly where Congress has created specific humanitarian protections. The Court should grant habeas relief as requested.

Respectfully submitted this 9th day of February 2026.

/s/Vicky J Currie

Vicky J Currie, WSBA #24192
Attorney for Petitioners

CERTIFICATE OF SERVICE

I, Vicky J Currie, certify that on this 9th day of February 2026, I served true and correct copy of the **REPLY TO RESPONDENT'S RESPONSE TO PETITION FOR WRIT OF HABEAS CORPUS** upon the following Respondents by electronic service as permitted:

MICHELLE R. LAMBERT
Assistant United States Attorney
United States Attorney's Office
Western District of Washington
700 Stewart Street, Suite 5220
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED this 9th day of February 2026.

/s/Vicky J Currie

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Attorney for Petitioners