

DETAINED

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Attorney for Petitioner

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

Oswal Ortiz,

Case No.: 2:26-cv-00384-TL

Petitioner,

v.

**PETITIONER'S DECLARATION IN
SUPPORT OF WRIT OF HABEAS
CORPUS UNDER 28 U.S.C. § 2241**

Laura HERMOSILLO, et al.,

Respondents.

DECLARATION OF PETITIONER

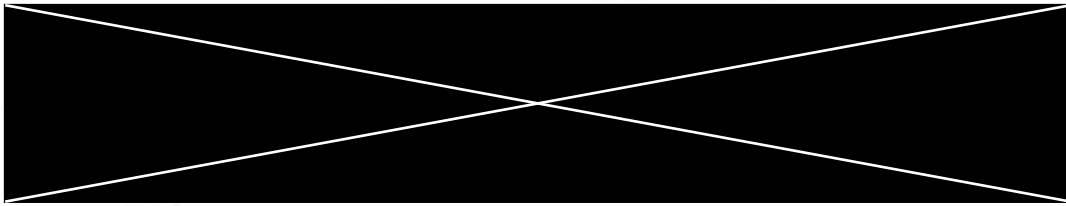
I, Oswal Ortiz, declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge:

1. My name is Oswal Ortiz and I am the petitioner in this case.
2. I am a 60-year-old man, and I have been living in Washington for a little over two years.
3. I entered the United States on September 11, 2023, to seek asylum.
4. I fled Venezuela out of fear due to threats of harm from [REDACTED]

**DECLARATION OF PETITIONER
CASE NO. 2:26-cv-00384-TL
Page - 1**

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1 5.



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3
4 6. I travelled traveled for about four months through Columbia, Panama, Costa Rica,
5 Nicaragua, Honduras, Guatemala, and Mexico to apply for asylum.

6 7. I am currently in-custody at the Northwest ICE Processing Center in Tacoma,
7 Washington.

8 8. My primary language is Spanish. My attorney and I used a Spanish Interpreter to write
9 this declaration.

10 9. When I entered the United States in Texas, I was encountered by United States Border
11 Patrol and taken into custody. After spending two nights in custody, I was given a Notice
12 to Appear and released on my personal recognizance.

13 10. On my Notice to Appear, my first court date was scheduled for January 26, 2024, in
14 Seattle, Washington.

15 11. When I first moved to Seattle, I lived in a shelter and made a lot of friends in the
16 immigrant community and people in Seattle who wanted to support us.

17 12. On December 30th, 2023, I filed my application for asylum, withholding, and Relief under
18 the Convention Against Torture with the help of the Northwest Immigrant Rights Project.

19 13. Later, I applied for work authorization and was approved.

20 14. I complied with all my ICE check-in requirements and never missed a hearing date.

21 15. Between September 2023 to September 2024 my ICE check-ins were once every six
22 months.

1 16. Unfortunately, on September 6, 2024, I was arrested by the Tukwila police department
2 and charged with Assault in the Second-Degree.

3 17. I plead not guilty for this crime and have not been convicted. I strongly maintain my
4 innocence and contest the allegations against me.

5 18. I have no other criminal history.

6 19. After I was charged, I never got in trouble with law enforcement again.

7 20. ICE increased my ICE check-ins after my arrest to once a month which I did from
8 September 2024 to October 2025. But I continued to live my life like normal.

9 21. I was able to move into my very own apartment. I developed a strong relationship with a
10 volunteer organization named International Migrant Alliance, the Church Council, and
11 Entrehermanos. One of those volunteers' name is Marina Ortiz.

12 22. On October 15, 2025, I arrived at the Tukwila ICE office at in the morning by myself. I
13 checked in and went through security as usual and then went upstairs to the waiting room.

14 23. I waited and waited for my name to be called but they only called other people until I was
15 the last person in the room.

16 24. I had a really bad feeling about this.

17 25. Unidentified ice agents approached me and asked me to go into a private room in the
18 back. Once I was in the room they began to question me. They brought up a charge that I
19 did not recognize and told me I was being arrested.

20 26. They grabbed me and put me in handcuffs and then put me in a car.

21 27. I was never provided notice that they were going to arrest me that day. They also never
22 showed me a warrant.

23 **DECLARATION OF PETITIONER**
CASE NO. 2:26-cv-00384-TL
Page - 3

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1 28. I would like to be able to fight for my asylum claim out of detention with my community.

2 29. Since I have been in custody my mental health has diminished and I've become
3 depressed.

4 30. I had a lawyer for my asylum claim but she withdrew as my lawyer and told the
5 immigration judge that I had mental health issues. I have a Master calendar hearing
6 scheduled for February 27, 2026.

7 31. On January 22, 2026, I had requested a bond hearing but the Immigration Judge said he
8 did not have jurisdiction to hear my case. s

9 32. While in custody I was told by other detainees that I could write a letter to a judge asking
10 for help, but I did not realize that was a habeas corpus petition.

11 33. I am now represented by a lawyer.

12 Executed on February 11, 2026, in King County, Washington.

13 
14

15 Petitioner Oswal Ortiz

16 **CERTIFICATE OF TRANSLATION**

17 I, Sam M Sueoka, declare under penalty of perjury that the statement above was read in its
18 entirety to Oswal Ortiz on February 9, 2026, in Spanish and that he stated that he understood and
19 agreed to its contents.

19 /s/ Sam M Sueoka
20 Sam M Sueoka, WSBA No. 59949
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23 **DECLARATION OF PETITIONER**
CASE NO. 2:26-cv-00384-TL
Page - 4

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