

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Edwin ULIN VALDEZ, Felix PONCE-
ALVAREZ, Octavio LAYATA-
HERNANDEZ, and Laura CARO,

Petitioners,

v.

Julio HERNANDEZ, Seattle Acting Field
Office Director, Enforcement and Removal
Operations, U.S. Immigration and Customs
Enforcement (ICE); UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; Bruce SCOTT,
Warden, Northwest ICE Processing Center,

Respondents.

Case No. 2:26-cv-00937

**PETITION FOR WRIT OF
HABEAS CORPUS**

**INDIVIDUAL
ENFORCEMENT OF
RODRIGUEZ VAZQUEZ
BOND DENIAL CLASS
JUDGMENT**

FACTS

1. Petitioners Edwin Ulin Valdez, Felix Ponce-Alvarez, Octavio Layata-Hernandez, and Laura Caro bring this petition for a writ of habeas corpus to seek enforcement of their rights as members of the Bond Denial Class certified in *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC (W.D. Wash. filed Mar. 20, 2025).¹

2. On September 30, 2025, this Court issued a final judgment “declar[ing] that Bond Denial Class members are detained under 8 U.S.C. § 1226(a) and are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2).” *Rodriguez Vazquez v. Bostock*, 802 F. Supp. 3d 1297, 1336 (W.D. Wash. 2025).

3. The Court further declared “that the Tacoma Immigration Court’s practice of denying bond to Bond Denial Class members on the basis of § 1225(b)(2) violates the Immigration and Nationality Act.” *Id.*

Edwin Ulin Valdez

4. Edwin Ulin Valdez is a member of the Bond Denial Class, as he:

- (a) does not have lawful status in the United States and is currently detained at the Northwest ICE Processing Center (NWIPC) after being taken into custody by U.S. Immigration and Customs Enforcement (ICE) on February 26, 2026, *see* Ex. A, Form I-213;²
- (b) entered the United States without inspection in 2023 and was not apprehended upon arrival; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

5. DHS has placed Mr. Ulin Valdez in removal proceedings pursuant to 8 U.S.C. § 1229a and charged him as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone

¹ The Bond Denial Class is comprised of “all noncitizens without lawful status detained at the Northwest ICE Processing Center [NWIPC] who (1) have entered or will enter the United States without inspection, (2) are not apprehended upon arrival, (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the noncitizen is scheduled for or requests a bond hearing.” *Rodriguez Vazquez v. Bostock*, 802 F. Supp. 3d 1297, 1336 (W.D. Wash. 2025).

² All exhibit citations are to the authenticating declaration of Leila Kang filed contemporaneously with this petition.

1 who entered the United States without inspection, and under 8 U.S.C. § 1182(a)(7)(A)(i)(I), as
2 someone not in possession of a valid entry document. Ex. A, Form I-862.

3 **Felix Ponce-Alvarez**

4 6. Felix Ponce-Alvarez is a member of the Bond Denial Class, as he:

- 5 (a) does not have lawful status in the United States and is currently detained
6 at NWIPC after being apprehended by DHS on February 24, 2026, *see* Ex.
7 B, Form I-213;
8 (b) last entered the United States without inspection on or around December
9 4, 2002 and was not apprehended upon arrival; and
10 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

11 7. DHS has placed Mr. Ponce-Alvarez in removal proceedings pursuant to 8 U.S.C.
12 § 1229a and charged him as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone
13 who entered the United States without inspection. Ex. B, Form I-862.

14 **Octavio Layata-Hernandez**

15 8. Octavio Layata-Hernandez is a member of the Bond Denial Class, as he:

- 16 (a) does not have lawful status in the United States and is currently detained
17 at NWIPC after being apprehended by DHS on February 25, 2026, *see* Ex.
18 C, Form I-213;
19 (b) last entered the United States without inspection in or around May 2002
20 and was not apprehended upon arrival; and
21 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

22 9. DHS has placed Mr. Layata-Hernandez in removal proceedings pursuant to 8
23 U.S.C. § 1229a and charged him as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as
24 someone who entered the United States without inspection. Ex. C, Form I-862.

25 **Laura Caro**

26 10. Laura Caro is a member of the Bond Denial Class, as she:

- 27 (a) does not have lawful status in the United States and is currently detained
at NWIPC after being apprehended by DHS on August 31, 2025, *see* Ex.
D, Form I-213;
(b) last entered the United States around 1985 and was not apprehended upon
arrival, and an immigration judge (IJ) has determined that she entered
without inspection; and

1 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

2 11. DHS has placed Ms. Caro in removal proceedings pursuant to 8 U.S.C. § 1229a
3 and charged her as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who
4 entered the United States without inspection. Ex. D, Form I-862.

5 12. On October 1, 2025, an IJ denied Ms. Caro's request for custody determination
6 for lack of jurisdiction. Ex. D, Order of the IJ. No alternative finding of flight risk or danger was
7 made. *Id.*

8 JURISDICTION & VENUE

9 13. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C.
10 § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the
11 Suspension Clause). The Court may grant relief pursuant to 28 U.S.C. § 2241; the Declaratory
12 Judgment Act, 28 U.S.C. § 2201 *et seq.*; and the All Writs Act, 28 U.S.C. § 1651.

13 14. Venue is proper in this District because Petitioners are detained at the NWIPC in
14 Tacoma, Washington. Venue is also proper under 28 U.S.C. § 1391(e) because Respondents are
15 employees, officers, and agencies of the United States, and a substantial part of the events or
16 omissions giving rise to the claims occurred in this District.

17 PARTIES

18 15. Edwin Ulin Valdez is currently detained at NWIPC. He is a member of the Bond
19 Denial Class certified in *Rodriguez Vazquez*.

20 16. Felix Ponce-Alvarez is currently detained at NWIPC. He is a member of the Bond
21 Denial Class certified in *Rodriguez Vazquez*.

22 17. Octavio Layata-Hernandez is currently detained at NWIPC. He is a member of
23 the Bond Denial Class certified in *Rodriguez Vazquez*.

24 18. Laura Caro is currently detained at NWIPC. She is a member of the Bond Denial
25 Class certified in *Rodriguez Vazquez*.

1 19. Respondent Julio Hernandez is the Seattle Acting Field Office Director of ICE's
2 Enforcement and Removal Operation division. As Petitioners' immediate custodian, he is
3 responsible for Petitioners' detention and removal. He is named in his official capacity.

4 20. Respondent United States Department of Homeland Security (DHS) is the federal
5 agency responsible for implementing and enforcing the Immigration and Nationality Act (INA),
6 including the detention and removal of noncitizens.

7 21. Respondent Executive Office for Immigration Review (EOIR) is the federal
8 agency responsible for implementing and enforcing the INA in removal proceedings, including
9 for custody redeterminations in bond hearings.

10 22. Respondent Bruce Scott is employed by The Geo Group, Inc., as Warden of the
11 NWIPC, where Petitioners are detained. He has immediate physical custody of Petitioners. He is
12 sued in his official capacity.

13 **CLAIMS FOR RELIEF**

14 **Violation of the INA:**

15 **Request for Relief Pursuant to *Rodriguez Vazquez***

16 23. Petitioners repeat, re-allege, and incorporate by reference each and every
17 allegation in the preceding paragraphs as if fully set forth herein.

18 24. As members of the Bond Denial Class, Petitioners are entitled to consideration for
19 release on bond under 8 U.S.C. § 1226(a).

20 25. The judgment in *Rodriguez Vazquez* makes clear that Respondents violate the
21 INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

22 26. Respondents are parties to *Rodriguez Vazquez* and bound by the Court's
23 declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C.
24 § 2201(a).

25 27. By denying Petitioners a bond hearing under § 1226(a) and asserting that they are
26 subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioners' rights under
27 the INA and this Court's judgment in *Rodriguez Vazquez*.

PRAYER FOR RELIEF

WHEREFORE, Petitioners pray that this Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Issue a writ of habeas corpus requiring that within one day, Respondents release any Petitioner with an alternative bond order unless Respondents allow for their release upon payment of the alternative bond amount and any other conditions set by the IJ;
- c. Issue a writ of habeas corpus as to any Petitioners without an alternative bond order requiring Respondents to provide a bond hearing under 8 U.S.C. § 1226(a) within fourteen days of a request from Petitioners, *specifying that this the Court's order does not prohibit an IJ from granting an individual Petitioner's request for a continuance in their bond proceedings*;
- d. Order that upon Petitioners' release, Respondents must return to Petitioners any personal property, including any personal identification document (other than a passport) and any employment authorization document;
- e. Award Petitioners attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- f. Grant any other and further relief that this Court deems just and proper.

DATED this 19th day of March, 2026.

s/ Matt Adams

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