

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

Reyna LIMA GAMEZ, Abdallahi ABEIDNA,
Nelby BARRIENTOS QUINTERO, Jose
GONZALEZ JUAREZ, Edwin MEJIA
MARTINEZ, Jhon PALOMINO COTRINA,
Yerlin REYES ANDRADES,

Petitioners,

v.

Julio HERNANDEZ, Seattle Acting Field
Office Director, Enforcement and Removal
Operations, United States Immigration and
Customs Enforcement; Bruce SCOTT, Warden,
Northwest ICE Processing Center; Markwayne
MULLIN, United States Secretary of Homeland
Security; UNITED STATES DEPARTMENT
OF HOMELAND SECURITY; Pamela
BONDI, United States Attorney General;

Respondents.

Case No. 2:26-cv-01104

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

INTRODUCTION

1. This case challenges Respondents' unlawful re-detention of Petitioners Reyna Lima Gamez, Abdallahi Abeidna, Nelby Barrientos Quintero, Jose Gonzalez Juarez, Edwin Mejia Martinez, Jhon Palomino Cotrina, and Yerlin Reyes Andrades. All seven Petitioners are currently in the physical custody of Respondents at the Northwest ICE Processing Center (NWIPC).

2. Each Petitioner was apprehended after entering the United States and released from immigration custody for the purpose of pursuing immigration relief. Since their releases, Petitioners have fulfilled their conditions of release to the best of their abilities, attended removal proceedings whenever scheduled, submitted applications, and built lives in the United States. None have convictions for violent offenses.

3. Despite Petitioners' compliance while released, each was abruptly and unlawfully re-detained by the Department of Homeland Security (DHS).

4. Prior to re-detaining Petitioners, Respondents did not provide any written notice explaining the basis for the revocation of their releases. Likewise, Respondents did not assess whether Petitioners presented a flight risk or danger to the community prior to their re-arrests. Nor did Respondents provide a hearing before a neutral decisionmaker, where Immigration and Customs Enforcement (ICE) was required to justify the basis for re-detention and to explain why each Petitioner is now a flight risk or danger to the community.

5. As this Court has recently held in multiple cases, due process demands a hearing prior to the government's decision to terminate a person's liberty. *See, e.g., E.A. T.-B. v. Wamsley*, 795 F. Supp. 3d 1316, 1321–24 (W.D. Wash. 2025); *Ramirez Tesara v. Wamsley*, 800 F. Supp. 3d 1130, 1136–38 (W.D. Wash. 2025); *Ledesma Gonzalez v. Bostock*, 808 F. Supp. 3d

1 1189, 1201–03 (W.D. Wash. 2025); *Kumar v. Wamsley*, No. 2:25-CV-01772-JHC-BAT, 2025
 2 WL 2677089, at *2–4 (W.D. Wash. Sept. 17, 2025); *Y.M.M. v. Wamsley*, No. 2:25-CV-02075-
 3 TMC, 2025 WL 3101782, at *2 (W.D. Wash. Nov. 6, 2025); *P.T. v. Hermosillo*, No. C25-2249-
 4 KKE, 2025 WL 3294988, at *4 (W.D. Wash. Nov. 26, 2025); *Francois v. Wamsley*, No. 2:25-cv-
 5 02122-RSM-GJL, 2025 WL 3496557, at *4 (W.D. Wash. Dec. 5, 2025); *Tomas Manuel v.*
 6 *Hermosillo*, No. C25-2353-TL-MLP, 2025 WL 3690778, at *3 (W.D. Wash. Dec. 10, 2025),
 7 *R&R adopted*, No. C25-2353-TL-MLP, 2025 WL 3697277 (W.D. Wash. Dec. 19, 2025);
 8 *Cabrera Perez v. Hermosillo*, No. 2:25-cv-02542-RSM, 2026 WL 100735, at *6 (W.D. Wash.
 9 Jan. 14, 2026); *Tsyamba v. Hermosillo*, No. 2:25-CV-02623-GJL, 2026 WL 237514, at *4–7
 10 (W.D. Wash. Jan. 29, 2026); *Shinwari v. Hermosillo*, No. 2:26-CV-00009-RAJ, 2026 WL
 11 262605, at *4 (W.D. Wash. Jan. 30, 2026); *Sarwari v. Wamsley*, No. 2:26-cv-00121-TL, 2026
 12 WL 279968, at *3–6 (W.D. Wash. Feb. 3, 2026); *Arroyo Silva v. Hermosillo*, No. 2:26-cv-
 13 00179-GJL, 2026 WL 445003, at *5 (W.D. Wash. Feb. 17, 2026); *Arrioja Blanco v. Hermosillo*,
 14 No. C26-493-MLP, 2026 WL 548056, at *3–4 (W.D. Wash. Feb. 27, 2026); *Caceres Banegas v.*
 15 *Hermosillo*, No. 2:26-cv-00499-TSZ, 2026 WL 586234, at *1–2 (W.D. Wash. Mar. 2, 2026);
 16 *Ortiz v. Hermosillo*, No. 2:26-cv-00384-TL, 2026 WL 607672, at *5 (W.D. Wash. Mar. 4, 2026);
 17 *Espinoza Palacios v. Hermosillo*, No. 2:26-cv-491-JNW, 2026 WL 686138, at *7 (W.D. Wash.
 18 Mar. 11, 2026); *Caisa Telenchana v. Hermosillo*, No. 2:26-cv-00363-GJL, 2026 WL 696806, at
 19 *10–12 (W.D. Wash. Mar. 12, 2026); *Colina Castro v. Hermosillo*, No. C26-662-SKV, 2026
 20 WL 817388, at *5–*7 (W.D. Wash. Mar. 25, 2026). Many other courts have recently held the
 21 same.

22 6. By failing to provide such a hearing, Respondents have violated Petitioners’
 23 constitutional right to due process.

1 7. Accordingly, this Court should grant the instant petition for a writ of habeas
2 corpus and order Petitioners' immediate release. *See, e.g., E.A. T.-B.*, 795 F. Supp. 3d at 1324
3 (ordering immediate release because "a post-deprivation hearing cannot serve as an adequate
4 procedural safeguard because it is after the fact and cannot prevent an erroneous deprivation of
5 liberty"); *Ramirez Tesara*, 800 F. Supp. 3d at 1138 (similar); *Kumar*, 2025 WL 2677089, at *3–4
6 (similar); *Ledesma Gonzalez*, 808 F. Supp. 3d at 1204 (similar); *Y.M.M.*, 2025 WL 3101782, at
7 *2–3 (similar); *P.T.*, 2025 WL 3294988, at *4 (similar).

8 8. Moreover, Respondents have now had over seven months' notice that their
9 practice of re-detaining noncitizens without prior notice and a pre-deprivation hearing is
10 unlawful. *See, e.g., Ortiz v. Hermosillo*, 2026 WL 607672, at *5 ("Respondents have been on
11 notice in this District since at least August 19, 2025, that re-detaining individuals who originally
12 had been detained at the border and then released without notice and an opportunity to be heard
13 violates the Fifth Amendment's Due Process clause." (citing *E.A. T.-B.*, 795 F. Supp. 3d at
14 1324)).

15 9. In the time since, Respondents have continued to unlawfully re-detain individuals
16 like Petitioners without providing notice and without justifying the sudden revocation of liberty
17 before a neutral adjudicator. *See, e.g., id.* (collecting "at least ten" examples of similarly-situated
18 individuals who were unconstitutionally re-detained between October 2025 and December 2025
19 (citations omitted)); *Espinoza Palacios*, 2026 WL 686138, at *1–5 (ordering immediate release
20 for nine petitioners whom the court found had been unlawfully re-detained, including five who
21 had been re-detained without notice or hearing between December 2025 and January 2026);
22 *supra* ¶ 5 (citing cases collectively involving dozens of petitioners detained since the fall of
23 2025). Respondents' ongoing and intentional failure to abide by the requirements of due process

1 demonstrates that even if the Court orders Petitioners' release from their current unlawful
2 detention, Petitioners face a significant likelihood of similar violation of their rights in the future.

3 10. Accordingly, in addition to seeking immediate release, Petitioners also request
4 that this Court enjoin Respondents from re-detaining them without notice and an opportunity to
5 be heard on the basis for re-detention before a neutral decisionmaker.

6 JURISDICTION

7 11. This action arises under the Constitution of the United States and the Immigration
8 and Nationality Act (INA), 8 U.S.C. § 1101 et seq.

9 12. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas
10 corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the United States
11 Constitution (Suspension Clause).

12 13. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241
13 et seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All Writs Act, 28 U.S.C.
14 § 1651.

15 VENUE

16 14. Venue is proper because all Petitioners are in Respondents' custody at the
17 NWIPC in Tacoma, Washington. Pursuant to *Braden v. 30th Judicial Circuit Court of Kentucky*,
18 410 U.S. 484, 493–500 (1973), venue lies in the judicial district in which Petitioners are
19 currently in custody.

20 15. Venue is also proper in this Court pursuant to 28 U.S.C. § 1391(e) because
21 Respondents are employees, officers, and agencies of the United States, and because a
22 substantial part of the events or omissions giving rise to the claims occurred in the Western
23 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 “within three days unless for good cause additional time, not exceeding twenty days, is allowed.”

Id.

17. Habeas corpus is “perhaps the most important writ known to the constitutional law . . . affording as it does a swift and imperative remedy in all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963). “The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted); *see also Van Buskirk v. 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”).

PARTIES

18. Petitioner Reyna Lima Gamez is a citizen of Nicaragua. She is detained at the NWIPC.

19. Petitioner Abdallahi Abeidna is a citizen of Mauritania. He is detained at the NWIPC.

20. Petitioner Nelby Barrientos Quintero is a citizen of Venezuela. She is detained at the NWIPC.

21. Petitioner Jose Gonzalez Juarez is a citizen of Mexico. He is detained at the NWIPC.

1 22. Petitioner Edwin Mejia Martinez is a citizen of El Salvador. He is detained at the
2 NWIPC.

3 23. Petitioner Jhon Palomino Cotrina is a citizen of Peru. He is detained at the
4 NWIPC.

5 24. Petitioner Yerlin Reyes Andrades is a citizen of Nicaragua. He is detained at the
6 NWIPC.

7 25. Respondent Julio Hernandez is the Acting Field Office Director for ICE's Seattle
8 Field Office. The Seattle Field Office is responsible for local custody decisions relating to
9 noncitizens charged with being removable from the United States. The Seattle Field Office's area
10 of responsibility includes Alaska, Oregon, and Washington. Respondent Hernandez is a legal
11 custodian of Petitioners and is sued in his official capacity.

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

15 27. Respondent Markwayne Mullin is the United States Secretary of Homeland
16 Security and the head of the U.S. Department of Homeland Security. He is responsible for the
17 implementation and enforcement of the INA, and oversees ICE, which is responsible for
18 Petitioners' detention. Mr. Mullin has ultimate custodial authority over Petitioners and is sued in
19 his official capacity.

20 28. Respondent U.S. Department of Homeland Security (DHS) is the federal agency
21 responsible for implementing and enforcing the INA, including the detention and removal of
22 noncitizens.

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

3 **FACTUAL BACKGROUND**

4 **Petitioner Reyna Lima Gamez**

5 30. Petitioner Reyna Lima Gamez is a citizen of Nicaragua who fled with her two
6 children to escape political persecution. Lima Gamez Decl. ¶¶ 1–2. She sought asylum in the
7 United States, presenting herself to border officials in November 2022. *Id.* ¶ 2. After being
8 detained for about one week, her family was released to move to Miami, Florida. *Id.* At their
9 release, Ms. Lima Gamez and her daughter were each provided a phone and instructions to
10 submit photos every Tuesday. *Id.* They were given no additional instructions. *Id.*

11 31. Following the family’s move to Miami, Ms. Lima Gamez complied with her
12 weekly photo submissions without issue. *See id.* ¶ 3. She never missed a photo requirement and
13 submitted each one on time. *Id.* Ms. Lima Gamez’s only in-person appointment was scheduled
14 for January 22, 2024, and she reported to the Miramar ICE Field Office as requested. *Id.* ¶ 4.
15 Although the whole family presented themselves for the check-in, only Ms. Lima Gamez’s
16 daughter was allowed into the building. *Id.* The family was instructed to return their government-
17 provided phones and told to wait to receive a court hearing notice in the mail. *See id.*

18 32. Ms. Lima Gamez also complied with the steps of her asylum process to the best of
19 her ability. *See id.* ¶ 4. She timely filed her asylum application to USCIS in May 2023 and was
20 granted an employment authorization document (EAD). *Id.* She found work cleaning houses,
21 filed her taxes, joined a local church, and volunteered at her young son’s daycare. *Id.*

22 33. In June 2025 and with the help of a social worker, Ms. Lima Gamez contacted the
23 USCIS to inquire about her case status, as she had yet to receive any court notices. *Id.* ¶ 6. She

1 was informed that the application was still pending. *Id.* In October 2025, she complied with the
2 new \$100 annual asylum fee and paid online. *See id.*

3 34. Ms. Lima Gamez has no criminal convictions. *Id.* ¶ 9. On September 25, 2025,
4 she was arrested by police officers who mistook her for the aggressor in a dispute with her
5 partner. *Id.* ¶ 8. That night, Ms. Lima Gamez discovered that her partner was drinking alcohol
6 and had become drunk while babysitting Ms. Lima Gamez's five-year-old son. *Id.* Ms. Lima
7 Gamez's partner, who had hurt Ms. Lima Gamez once before while inebriated, became
8 aggressive when told that her behavior was irresponsible. *Id.* She screamed at Ms. Lima Gamez
9 and pushed her into a wall. *Id.* While walking away, her partner tripped and hit her own lip on
10 the corner of a bed. *See id.* When police were called, they arrested Ms. Lima Gamez because her
11 partner was the one with a visible injury. *See id.*

12 35. Although Ms. Lima Gamez has never hurt her partner, *id.*, she was charged with
13 battery and held at the Turner Guilford Knight Correctional Center in Miami-Dade, Florida
14 during the pendency of her case, *id.* ¶ 8. The county court dismissed the charge on November 10,
15 2025.

16 36. Ms. Lima Gamez was held at the jail for two additional days, until ICE officers
17 came to re-detain her on November 12, 2025. *Id.* ¶¶ 8–9. The officers did not identify themselves
18 to Ms. Lima Gamez until she asked, and did not ask her any questions before placing her in
19 handcuffs. *Id.* ¶ 9. She was re-arrested despite the dismissal of her battery charge and her lack of
20 any arrests or convictions prior to the incident in September 2025. *Id.*

21 37. Ms. Lima Gamez was transferred to the NWIPC in Tacoma, Washington, where
22 she remains detained. *Id.* ¶¶ 9–10. Her detention has taken a severe toll on her physical and
23 mental health. *Id.* ¶ 10. She has experienced constant headaches, anxiety, hair loss, and

1 stomachaches that prevent her from eating regularly. *See id.*

2 38. As a single mother, Ms. Lima Gamez also remains concerned about her ongoing
3 separation from her two children, now thousands of miles away. *Id.* ¶¶ 10–11. In light of her
4 partner’s behavior in September 2025, Ms. Lima Gamez no longer trusts her partner to look after
5 her son, who is hearing-impaired in both ears and suffers from related difficulties with his
6 speech. *Id.* ¶ 10. His verbal skills have deteriorated since Ms. Lima Gamez’s re-detention and he
7 is now solely in the care of his older sister, who is likewise struggling to care for her younger
8 brother while also working to earn enough money for their whole household. *Id.* ¶¶ 10–11.

9 39. Ms. Lima Gamez’s next hearing is scheduled for March 31, 2026 with the
10 Tacoma Immigration Court. *See id.* ¶ 12. She remains afraid for her family’s safety in Nicaragua
11 and is fearful of how to proceed in her asylum process while separated from her children. *Id.*

12 40. Prior to Ms. Lima Gamez’s re-arrest in November 2025, she did not receive
13 written notice of the reason for her re-detention.

14 41. Prior to Ms. Lima Gamez’s re-arrest, ICE did not assess whether she presented a
15 flight risk or danger to the community.

16 42. Prior to Ms. Lima Gamez’s re-arrest, she was not afforded a hearing before a
17 neutral decisionmaker to determine if his re-detention was justified.

18 **Petitioner Abdallahi Abeidna**

19 43. Petitioner Abdallahi Abeidna is a citizen of Mauritania who was forced to flee his
20 country after [REDACTED]

21 Abeidna Decl. ¶ 1. He entered the United States on or around August 30, 2024, near San Diego,
22 seeking asylum. *See id.* ¶ 2. He was briefly detained in immigration custody near the border and
23 then released on parole to pursue his asylum claim with the immigration court. *See id.* He was

1 instructed to report to the local ICE office for further instructions once he reached his destination
2 in the United States. *Id.*

3 44. Upon his release from DHS custody, Mr. Abeidna settled in New York City. *See*
4 *id.* ¶ 3. He dutifully reported to the ICE field office there as instructed, and continued to attend
5 all of his subsequent required appointments without fail. *Id.* He arrived early to each appointment
6 and was never informed of any compliance issues or missed appointments. *Id.*

7 45. Mr. Abeidna also complied with all requirements in his asylum process. *Id.* ¶ 4.
8 He timely filed his asylum application in September 2024. *Id.* ¶ 2. He applied for and was issued
9 an EAD. *Id.* He retained counsel to represent him before the immigration court. *Id.* ¶ 4. He was
10 scheduled for a master calendar hearing on July 22, 2025 at the immigration court in New York
11 City. *Id.* One day before his initial hearing, his attorney informed him that the case had been
12 reset to October 6, 2026. *Id.*

13 46. On November 24, 2025, while his immigration court case was still pending, Mr.
14 Abeidna was abruptly re-arrested upon arriving at a regularly scheduled ICE check-in. *Id.* The
15 arresting ICE officers gave him no explanation for his re-detention, only informing him they had
16 the right to detain him. *Id.* He was eventually transferred to the NWIPC in Tacoma, where he
17 remains detained. *Id.* ¶ 5.

18 47. Mr. Abeidna has no criminal history. *Id.* ¶ 6. To his knowledge, he had not missed
19 any meetings or court hearings for his case. *Id.* ¶ 5.

20 48. In detention, Mr. Abeidna misses the supportive community of Mauritanian
21 friends he has in New York City. *Id.* ¶ 7. He also struggles to proceed with his case far from his
22 attorney, who is in New York City. *Id.* ¶ 8.

1 49. Prior to Mr. Abeidna's re-arrest in November 2025, he did not receive written
2 notice of the reason for his re-detention.

3 50. Prior to Mr. Abeidna's re-arrest, ICE did not assess whether he presented a flight
4 risk or danger to the community.

5 51. Prior to Mr. Abeidna's re-arrest, he was not afforded a hearing before a neutral
6 decisionmaker to determine if his re-detention was justified.

7 **Petitioner Nelby Barrientos Quintero**

8 52. Petitioner Nelby Barrientos Quintero is a citizen of Venezuela who fled her
9 country after [REDACTED] Barrientos
10 Quintero Decl. ¶ 1. She and her minor daughter entered the United States on April 30, 2022, and
11 were detained overnight in immigration custody before being released on parole. *Id.* ¶¶ 2–3. At
12 their release, an ICE officer handed Ms. Barrientos Quintero a set of documents and a cell phone
13 with instructions to bring everything to her first check-in at the Yakima ICE Field Office as soon
14 as possible after reaching her destination in Washington State. *Id.* ¶ 4. She was also told to
15 purchase a U.S. phone plan and to provide a local number to ICE. *Id.*

16 53. Ms. Barrientos Quintero and her daughter reached Yakima by May 5, 2022,
17 where they rented an apartment with assistance from a family friend. *Id.* ¶¶ 5–8. Ms. Barrientos
18 Quintero obtained a local phone number that very weekend so that she could be contacted by
19 ICE as needed. *Id.*

20 54. Ms. Barrientos Quintero reported to the Yakima ICE Field Office the following
21 Monday, May 9, 2022, at 9:00 A.M. and provided ICE with her new address. *Id.* ¶ 9. After
22 returning the ICE-provided phone, Ms. Barrientos Quintero was enrolled in virtual check-ins and
23 had the SmartLINK mobile application installed on her personal phone. *Id.* She was instructed to

1 submit weekly photos of herself inside her apartment through the application, and to keep ICE
2 informed of any change of address. *Id.* She followed these requirements faithfully through late
3 July 2022 and never missed an appointment. *Id.* ¶¶ 11–12.

4 55. In July 2022, Ms. Barrientos Quintero’s supervision was transferred to the
5 Intensive Supervision Appearance Program (ISAP). *Id.* ¶ 12. She continued completing similar
6 call and photo check-ins on the SmartLINK mobile application every Wednesday between 11:00
7 A.M. and 11:30 A.M. and also complied with monthly in-person or video call home visits with
8 her ISAP case manager. *Id.* ¶¶ 13–15. She never missed a virtual check-in or a home visit. *Id.* ¶¶
9 14, 15.

10 56. Ms. Barrientos Quintero also complied with her immigration case; her asylum
11 application was timely submitted to the Seattle Immigration Court in January 2023 and she
12 attended at least three hearings between 2022 and 2023. *See id.* ¶ 16.

13 57. She also notified ISAP when she changed her address, hired an immigration
14 attorney, received an EAD, was granted Temporary Protected Status (TPS), married her U.S.-
15 citizen husband in November 2024, and when her husband filed an I-130 immigrant visa petition
16 for her in January 2025. *Id.* ¶¶ 16–18. Her work authorization is valid through December 26,
17 2028. *Id.* ¶ 17. She lived with her husband and near her daughter and two brothers, found steady
18 employment, made friends with her co-workers, and built a close community in Yakima. *Id.*
19 ¶ 32.

20 58. On July 17, 2025, her ISAP case manager notified Ms. Barrientos Quintero that
21 ICE had resumed overseeing her supervision. *Id.* ¶ 19. She was informed that ICE, not ISAP,
22 would conduct all her future virtual check-ins and that her monthly home visits would be
23 reduced to one annual home visit by ICE. *See id.* Her first ICE home visit was scheduled for

1 August 18, 2026. *Id.*

2 59. The virtual check-in appointments with ICE were scheduled about every month,
3 and Ms. Barrientos Quintero made sure to be home for each one. *Id.* ¶ 20. Similar to her ISAP
4 check-ins, she received a call between 8:00 A.M. and 8:00 P.M. on a scheduled date and then
5 submitted a photo through the mobile application. *Id.*

6 60. On February 2, 2026, Ms. Barrientos Quintero received a call from her former
7 ISAP case manager to inform her of an upcoming in-office appointment at the Yakima ICE Field
8 Office on February 9, 2026. *Id.* ¶ 21. He informed her that this was a regular check-in and that
9 she should bring a copy of her birth certificate and documents from her immigration case. *Id.*

10 61. Ms. Barrientos Quintero subsequently completed a virtual check-in on February 4,
11 2026 around 8:00 A.M. and reported to the ICE office five days later, as requested. *Id.* ¶¶ 22–23.

12 62. On February 9, 2026, Ms. Barrientos Quintero presented herself at the Yakima
13 ICE Field Office at 9:00 A.M. and provided her paperwork. *Id.* ¶ 23. After waiting about half an
14 hour in the lobby, she was approached by several armed officers who informed her that she had
15 failed to complete virtual check-ins and was being re-arrested. *Id.* The officers insisted that she
16 had check-in violations even as Ms. Barrientos Quintero explained that she had never missed an
17 appointment with either ICE or ISAP. *Id.* No further details of her alleged violations were
18 provided. *See id.* ¶¶ 23–24. Although Ms. Barrientos Quintero tried to explain that she had a
19 pending asylum application, a valid work permit, and a U.S.-citizen spouse waiting outside, she
20 was re-detained. *Id.* ¶ 23. She was not permitted to speak with her husband and was only able to
21 notify her family of her re-arrest by calling her daughter. *Id.*

22 63. ICE confiscated Ms. Barrientos Quintero's original birth certificate and
23 transferred her to the detention center in Tacoma, where she remains detained. *Id.* ¶¶ 24–25. In

1 the weeks since, she has tried desperately to consider every step of her legal process but still does
2 not understand what she could have done differently to avoid being re-detained. *See id.* ¶ 25. She
3 has no criminal history and had no contact with police while residing in the United States for
4 nearly four years. *See id.* ¶ 31.

5 64. Being re-detained has taken a severe toll on Ms. Barrientos Quintero's physical
6 and emotional health. *Id.* ¶¶ 25–28. The food provided by the facility is inedible and has been
7 contaminated by rat feces. *Id.* ¶ 28. Her family is struggling to send her money so that she can
8 stay connected with them and buy food from the commissary. *See id.*

9 65. Since being re-detained, Ms. Barrientos Quintero has been unable to afford in-
10 person visits with her attorney and has spoken only occasionally to her lawyer by phone. *Id.* ¶ 29.
11 On March 30, 2026, Ms. Barrientos Quintero's asylum application was denied by an immigration
12 judge. *Id.* ¶ 30. Still afraid for her life in Venezuela, *id.* ¶ 26, she has reserved her right to appeal
13 this decision, *id.* ¶ 30.

14 66. Prior to Ms. Barrientos Quintero's re-arrest in February 2026, she did not receive
15 written notice of the reason for her re-detention.

16 67. Prior to Ms. Barrientos Quintero's re-arrest, ICE did not assess whether she
17 presented a flight risk or danger to the community.

18 68. Prior to Ms. Barrientos Quintero's re-arrest, she was not afforded a hearing before
19 a neutral decisionmaker to determine if her re-detention was justified.

20 **Petitioner Jose Gonzalez Juarez**

21 69. Petitioner Jose Gonzalez Juarez is a citizen of Mexico who fled his country
22 following threats against his life and family. Gonzalez Juarez Decl. ¶ 1. He entered the United
23 States with his wife and four children on February 14, 2024, seeking asylum. *Id.* ¶ 2. The family

1 was detained in immigration custody near the border for a few days before they were released to
2 pursue asylum in immigration court. *Id.* Mr. Gonzalez Juarez was issued a Notice to Appear in
3 immigration court and fitted with an ankle monitor before his release. *Id.* He was also instructed
4 to report to both ICE and ISAP offices once he reached his destination in Washington State. *Id.*

5 70. Mr. Gonzalez Juarez and his family settled in Yakima, where he made every
6 effort to comply with the requirements of his release. *See id.* ¶ 3. Within a few days of his
7 arrival, he reported to the Yakima ISAP office, where they gave him instructions on wearing and
8 charging the ankle monitor at all times, and on remaining within a certain radius of his home. *Id.*
9 He was instructed to inform them of any change in address, and to report to the local ICE office
10 within a few days. *Id.* When he dutifully reported to the Yakima ICE Field Office, Mr. Gonzalez
11 Juarez was asked for his address and instructed to come back approximately every six months.
12 *Id.* ¶ 4.

13 71. After about a month and a half, Mr. Gonzalez Juarez's ankle monitor was
14 removed. *Id.* ¶ 5. He was instructed to use a phone application to send photos every Tuesday. *Id.*
15 ¶ 6. He was also subject to monthly check-ins, alternating between visits to the ISAP office and
16 home visits. *Id.*

17 72. Mr. Gonzalez Juarez complied with these requirements to the best of his ability,
18 reporting for in-office check-ins and taking care to stay home all day on days a home visit was
19 scheduled. *Id.* On one occasion, on March 11, 2025, Mr. Gonzalez Juarez had stepped out to
20 drive his children to school when the ISAP official arrived for a home visit. *Id.* That morning,
21 Mr. Gonzalez Juarez's wife had taken their daughter to a medical appointment and was not able
22 to take their other children to school as planned. *See id.* Mr. Gonzalez Juarez drove his children
23 to school instead, expecting the officers to arrive in the afternoon as they typically did. *Id.* When

1 they called him, he was just dropping the children off and asked them to please wait for him to
 2 return home. *Id.* The officer advised him they would return later that day instead. *Id.* He
 3 successfully completed his home visit later the same day and was told that it was not a problem.
 4 *Id.*

5 73. Mr. Gonzalez Juarez also diligently pursued his asylum case with the immigration
 6 court. *Id.* ¶ 7. He hired an attorney, timely filed his asylum application on February 13, 2025, and
 7 applied for an EAD. *Id.* His first master calendar hearing was scheduled for November 12, 2026
 8 with the Seattle Immigration Court, and Mr. Gonzalez Juarez was eager to present his claim. *Id.*

9 74. Mr. Gonzalez Juarez has no criminal history. *Id.* ¶ 10.

10 75. In December 2025, Mr. Gonzalez Juarez had just been granted his EAD when he
 11 learned of a job opportunity in California. *See id.* ¶ 8. He was aware that ICE and ISAP had
 12 imposed travel restrictions on him, so he waited for his next ISAP appointment so he could
 13 request permission to travel for work. *Id.* On December 29, 2025, ISAP officer stated that ICE
 14 would grant permission, because Mr. Gonzalez Juarez had complied with all of his requirements.
 15 *Id.*

16 76. On December 30, 2025, Mr. Gonzalez Juarez received a call from his ISAP
 17 officer, informing him that ICE had granted him the requested permission to travel for work and
 18 directing him to report to the ICE office to sign the permission document. *Id.* ¶ 9. Mr. Gonzalez
 19 Juarez reported to the Yakima ICE Field Office, where he was asked for information about
 20 where he was going to go and the name and number of a contact in California. *See id.* After
 21 being assured that everything was in order, Mr. Gonzalez Juarez was fingerprinted and asked to
 22 sign a document that he believed was the travel authorization. *Id.* After he signed, he was
 23 informed that the document was actually authorization to handcuff him. *Id.* At this point, Mr.

1 Gonzalez Juarez grew suspicious and asked if he was being arrested, and ICE officials confirmed
2 that he was being re-detained. *Id.*

3 77. When Mr. Gonzalez Juarez asked why he was being arrested, he was told that it
4 was to accelerate his court process, and that his case had been separated from that of his wife and
5 children. *Id.* Then, for the first time, Mr. Gonzalez Juarez was informed that he had failed to
6 comply with his check-in and photo requirements. *Id.* He asked the ICE officers to speak to his
7 ISAP case manager, who had assured him that he was in compliance, but they ignored him and
8 took his work permit and Social Security card. *Id.* The officers told Mr. Gonzalez Juarez that the
9 documents “don’t mean anything.” *Id.*

10 78. Mr. Gonzalez Juarez was refused a call to his attorney and informed he could wait
11 to call her from Tacoma. *Id.* Only after much insisting was he allowed to call a family member to
12 inform them he was being detained. *Id.*

13 79. Mr. Gonzalez Juarez was eventually transferred to the NWIPC in Tacoma, where
14 he remains detained. *Id.* ¶ 11. Mr. Gonzalez Juarez’s family retained an attorney for him, but he
15 struggled to collaborate with counsel on his case while detained. *Id.* He was only able to speak
16 with his attorney once before his merits hearing, where the immigration judge denied his claim.
17 *Id.* He is appealing that decision. *Id.*

18 80. Mr. Gonzalez Juarez is struggling both physically and emotionally with the
19 conditions in detention. *Id.* ¶ 12. He reports being provided food containing plastic and hair, and
20 black water for drinking, which causes skin irritation and rashes. *Id.* ¶¶ 12–13. He also worries
21 about how his wife and four children are managing without him. *Id.* ¶ 14. His wife struggles to
22 provide financially for their four children, and she faces logistical challenges in caring for the
23 family alone. *See id.*

1 81. Prior to Mr. Gonzalez Juarez's re-arrest in December 2025, he did not receive
2 written notice of the reason for his re-detention.

3 82. Prior to Mr. Gonzalez Juarez's re-arrest, ICE did not assess whether he presented
4 a flight risk or danger to the community.

5 83. Prior to Mr. Gonzalez Juarez's re-arrest, he was not afforded a hearing before a
6 neutral decisionmaker to determine if his re-detention was justified.

7 **Petitioner Edwin Mejia Martinez**

8 84. Petitioner Edwin Mejia Martinez is a citizen of El Salvador who fled persecution
9 by gangs on account of [REDACTED] Mejia Martinez Decl. ¶ 1. He entered the
10 United States to seek asylum on or about March 23, 2016, and was detained by immigration
11 authorities in several different detention centers for a total of about two months. *Id.* ¶ 2.

12 85. In May 2016, after Mr. Mejia Martinez passed a credible fear interview, DHS
13 released him on a \$12,000 bond to pursue relief in immigration court proceedings. *See id.* ¶¶ 2–
14 3. He was instructed to file his application for asylum within a year of his entry and to update his
15 address with the immigration court if he moved. *Id.* ¶ 3. He was given no other reporting
16 requirements. *Id.*

17 86. Following his release, Mr. Mejia Martinez joined his parents and siblings in Los
18 Angeles, California, where he diligently pursued his asylum case. *Id.* ¶¶ 4–5. He hired an
19 attorney and timely filed his asylum application with the Los Angeles Immigration Court in
20 March 2017. *Id.* ¶ 4. He applied for and was issued an EAD. *Id.*

21 87. In 2018, Mr. Mejia Martinez decided to move to Seattle to live with his brother
22 and pursue a job opportunity. *Id.* ¶ 6. He updated his address with the immigration court, and his
23 attorney helped him change his venue from Los Angeles to Seattle. *Id.* He paid for his attorney to

1 travel and represent him at the Seattle proceedings, and they attended a master calendar hearing
2 at the Seattle Immigration Court in 2020. *Id.* ¶¶ 6–7. Their final hearing on the merits was set for
3 October 2021. *Id.* ¶ 7.

4 88. In or around October 2021, shortly before Mr. Mejia Martinez’s merits hearing,
5 the immigration judge cancelled the hearing and asked the parties to come to an agreement about
6 the case. *Id.* In April 2022, DHS filed a motion to dismiss Mr. Mejia Martinez’s removal case.
7 *Id.* Mr. Mejia Martinez was informed that his removal proceedings were over and understood
8 this to mean that the government was no longer trying to remove him from the United States. *Id.*
9 ¶ 8.

10 89. With his removal proceedings dismissed, Mr. Mejia Martinez focused on
11 supporting his wife and their two children in the safety of their Seattle community. *Id.* ¶ 9. He
12 did not receive instructions to report for any check-ins and continued living at the same address.
13 *Id.* ¶ 8. He continued working in landscaping, paying his taxes, and contributing to his
14 community. *Id.* ¶ 9. He remained rooted in his faith, and he and his family were active
15 participants in the [REDACTED] that Mr. Mejia Martinez had
16 joined in 2018. *Id.*

17 90. Mr. Mejia Martinez has no criminal history. *Id.* ¶ 10.

18 91. On December 9, 2025, Mr. Mejia Martinez was re-arrested by ICE while driving
19 to work. *Id.* ¶ 11. He had stopped at a Home Depot to buy supplies for his landscaping job and
20 was driving away from the store when his car was surrounded by five or six ICE vehicles. *Id.*
21 The officers commanded him to roll down his window and immediately informed him he was
22 under arrest for being in the United States illegally. *Id.* They ordered him out of the vehicle and
23 handcuffed him. *Id.* Although Mr. Mejia Martinez asserted his right to speak to his attorney, the

1 officers ignored him and confiscated his belongings before transferring him to the Tukwila ICE
2 Field Office for processing. *Id.*

3 92. It was only after he arrived at the ICE office in Tukwila that ICE officers read Mr.
4 Mejia Martinez his rights and provided him with a list of attorneys. *Id.* ¶ 12. They allowed him a
5 single phone call, to inform a family member of his detention. *Id.* When he asked why he was
6 being arrested, the ICE officers said it was because he was Salvadoran and not American. *Id.* The
7 officers indicated that they had reviewed his case and were aware that he had previously been
8 released from immigration custody, and that he would see an immigration judge once he arrived
9 in Tacoma. *Id.*

10 93. Mr. Mejia Martinez was eventually taken to the NWIPC in Tacoma, Washington,
11 where he remains detained. *Id.* ¶ 13. He hired local counsel, who filed a new asylum application
12 with the Tacoma Immigration Court in February 2026. *Id.* ¶ 15. Mr. Mejia Martinez had his
13 final merits hearing on his asylum application on March 27, 2026. *Id.* Although the immigration
14 judge denied his application, he intends to continue fighting his case. *See id.*

15 94. Mr. Mejia Martinez has been impacted detrimentally by the conditions at the
16 facility, particularly the extremely frigid temperatures; he has lost fifteen pounds in the months
17 since being re-detained. *Id.* ¶ 13. He also worries about his wife and two children. *Id.* ¶ 16. His
18 wife struggles to make ends meet without him. *Id.* His older son, a recent high school graduate,
19 has had to forgo college plans to help support the family, and his four-year-old daughter is too
20 young to understand where her father has gone. *Id.* He finds solace in his religious faith,
21 participating in prayer services on a daily basis but has faced obstacles to practicing his faith in
22 detention. *Id.* ¶ 14. On one Sunday, when services extended past a meal time, guards threw away
23 Mr. Mejia Martinez's food. *Id.*

1 95. Prior to Mr. Mejia Martinez's re-arrest in December 2025, he did not receive
2 written notice of the reason for his re-detention.

3 96. Prior to Mr. Mejia Martinez's re-arrest, ICE did not assess whether he presented a
4 flight risk or danger to the community.

5 97. Prior to Mr. Mejia Martinez's re-arrest, he was not afforded a hearing before a
6 neutral decisionmaker to determine if his re-detention was justified.

7 **Petitioner Jhon Palomino Cotrina**

8 98. Petitioner Jhon Palomino Cotrina is a citizen of Peru who fled attacks in his
9 country and sought asylum in the United States. Palomino Cotrina Decl. ¶¶ 1–2. He entered the
10 United States with family members on or around June 13, 2022, near San Luis, Arizona. *Id.* ¶ 2.
11 He was briefly detained in DHS custody before being released on his own recognizance to
12 pursue asylum in removal proceedings in Seattle. *See id.* He was issued a Notice to Appear and
13 given a document regarding his ICE reporting instructions once he reached his destination in the
14 United States. *Id.* He was also issued a phone with instructions to send a weekly photo of himself
15 to ISAP. *Id.* He was told he would be required to send weekly photos for one year. *Id.*

16 99. Mr. Palomino Cotrina and his family settled in Lynnwood, Washington, where he
17 diligently complied with his release requirements. *Id.* ¶¶ 2–3. He sent weekly photos via the
18 phone application as long as instructed, and to his knowledge, never missed a photo check-in. *Id.*
19 In or around October 2022, he reported to ICE for his initial appointment. *Id.* ¶ 3. ICE officers
20 advised him that he no longer needed to send photos via the phone and that he should return the
21 provided phone at the ISAP office. *Id.* ICE instructed him to report back to the ICE office on an
22 annual basis. *Id.* They also informed him of other requirements such as relinquishing his
23 passport, keeping his address updated, and asking permission before leaving the state. *Id.*

1 100. Mr. Palomino Cotrina complied with all of these requirements to the best of his
2 ability. *See id.* ¶¶ 3–4. On one occasion in 2024, he mixed up the date and reported a few days
3 late for an annual ICE check-in, but he was simply told to return the following year. *Id.* ¶ 4.

4 101. Mr. Palomino Cotrina also diligently pursued his asylum claim. *See id.* ¶ 5. He
5 hired an attorney and timely filed his asylum application with the immigration court. *Id.* He
6 applied for and received his EAD. *Id.* ¶ 6. He attended all of his hearings at the Seattle
7 Immigration Court. *Id.* ¶ 5. He lost his case in 2024 but filed a timely appeal, and his appeal was
8 still pending at the time of his arrest by ICE. *See id.*

9 102. Mr. Palomino Cotrina lived among family and established close connections in
10 Lynnwood. *Id.* ¶ 17. He was employed, *id.* ¶ 6, attended church, played soccer, and found friends
11 through a Latino community group, *see id.* ¶ 17.

12 103. On September 25, 2025, Mr. Palomino Cotrina was arrested in the early morning
13 hours for having physical control of a vehicle while under the influence. *Id.* ¶ 7. His family had
14 hosted a birthday party for his sister at his apartment the previous night, and Mr. Palomino
15 Cotrina consumed alcohol while celebrating in his home. *Id.* ¶ 8. The morning of his arrest, Mr.
16 Palomino Cotrina wanted to make his regular call to his partner and child in Peru, and went to
17 his parked car to make the call at 5:00 A.M. to not disturb guests still sleeping in his apartment.
18 *Id.* He turned on the heat to warm up, with no intention of driving. *Id.* He was still in his car
19 when police approached and arrested him for being in the vehicle with the ignition on while
20 under the influence of alcohol. *Id.* This is Mr. Palomino Cotrina’s sole arrest, and the charge
21 remain pending. *Id.* ¶ 9.

1 104. Following this arrest, Mr. Palomino Cotrina completed an ICE check-in without
2 incident in October 2025. *Id.* ¶ 10. Because he did not have his check-in log with him, he was
3 instructed to come back in February 2026; the check-in was otherwise uneventful. *Id.*

4 105. On February 11, 2026, Mr. Palomino Cotrina was abruptly arrested when he
5 presented himself at the ICE office for his scheduled check-in. *Id.* ¶ 11. An ICE officer informed
6 Mr. Palomino Cotrina that he was being re-detained because he had driven under the influence.
7 *Id.* Mr. Palomino Cotrina tried to explain that the case was still pending but he was detained
8 nonetheless. *Id.* He was only permitted one phone call to a family member and not provided a
9 call to an attorney. *See id.*

10 106. Mr. Palomino Cotrina was taken to the NWIPC in Tacoma, where he remains
11 detained. *Id.* ¶ 12. He struggles with the conditions of his confinement; he and fellow detainees
12 have been provided dirty clothing, contaminated food, and polluted drinking water that causes
13 skin infections. *Id.* ¶ 13. Furthermore, although Mr. Palomino Cotrina has a painful toothache
14 and is concerned that he has re-developed kidney stones, he has yet to see a dentist and has been
15 told that he simply has a stomachache. *Id.* ¶¶ 14–15. He is experiencing trouble sleeping and
16 often cannot find rest until 5:00 A.M. *Id.* ¶ 15.

17 107. He also worries about his family, especially his father, who relied on Mr.
18 Palomino Cotrina for rides to and from work and for emotional support before he was detained.
19 *Id.* ¶ 16. He has been unable to remain in close touch with family members and has no idea how
20 long he will remain detained while his appeal is pending. *See id.* ¶¶ 12, 16.

21 108. Prior to Mr. Palomino Cotrina's re-arrest in January 2026, he did not receive
22 written notice of the reason for his re-detention.
23

1 109. Prior to Mr. Palomino Cotrina's re-arrest, ICE did not assess whether he presented
2 a flight risk or danger to the community.

3 110. Prior to Mr. Palomino Cotrina's re-arrest, he was not afforded a hearing before a
4 neutral decisionmaker to determine if his re-detention was justified.

5 **Petitioner Yerlin Reyes Andrades**

6 111. Petitioner Yerlin Reyes Andrades is a citizen of Nicaragua who was forced to flee
7 his country due to his father's political activities. Reyes Andrades Decl. ¶ 1. On November 27,
8 2021, he entered the United States to ask border officers for asylum. *See id.* ¶ 2. He was briefly
9 held in immigration custody before being released on his own recognizance to live in
10 Washington state. *Id.* He was instructed to report to the local ICE office once he reached his
11 destination. *Id.*

12 112. Upon his release, Mr. Reyes Andrades reported to the Tukwila ICE Field Office
13 as instructed. *Id.* ¶ 3. At his initial check-in, he was instructed to continue reporting in person to
14 the ICE office. *Id.* He was given a log sheet that listed his next appointment, and at each check-
15 in, the ICE officer would sign his log and write down the next reporting date. *Id.*

16 113. Mr. Reyes Andrades dutifully complied with his reporting requirements. *Id.* He
17 reported on each date that was listed on his log, usually at either semi-annual or annual intervals.
18 *Id.* He typically checked in with a receptionist after arriving, was re-directed to speak with his
19 assigned officer, and provided the next check-in date. *Id.* To his knowledge, he never missed a
20 scheduled appointment. *Id.*

21 114. Mr. Reyes Andrades also diligently complied with the requirements of his
22 immigration case. *Id.* ¶ 4. He filed his application for asylum in late 2022 and received his EAD.
23

1 *Id.* His master calendar hearing was rescheduled, and at the time of his arrest, he was still
2 awaiting his initial hearing at the Seattle Immigration Court. *Id.*

3 115. Although most of Mr. Reyes Andrades' family lived in Florida, he remained in
4 Washington to remain close to his legal counsel, attend his hearings in Seattle Immigration
5 Court, and comply with his local ICE check-ins. *Id.* ¶ 5. Despite his best efforts, he struggled to
6 adjust to life in Seattle, where he did not have a support network. *Id.* In August 2022, he was
7 arrested for driving under the influence. *Id.* He was released from criminal custody but had his
8 driver's license suspended while the case was pending. *Id.* This arrest eventually resulted in Mr.
9 Reyes Andrades's sole criminal conviction on July 5, 2024. *Id.*

10 116. Mr. Reyes Andrades had other contacts with police but none that resulted in
11 criminal convictions. In October 2022, Mr. Reyes Andrades' employer asked him to complete an
12 errand that required Mr. Reyes Andrades to drive his employer's car. *Id.* ¶ 5. While on this
13 errand, he was arrested for driving with a suspended license but the case was eventually
14 dismissed. *Id.* In 2024, Mr. Reyes Andrades lost his job, and, because his employer was
15 providing housing, became homeless for a period of time. *Id.* ¶ 6. Later that year, he entered a
16 vehicle on a cold night in an effort to stay warm. *Id.* He was arrested for vehicle trespassing but
17 the charge was eventually dismissed. *Id.* In 2025, he was issued tickets for the driving offenses
18 of driving with license suspended and operating a vehicle without an ignition interlock. *Id.* ¶ 7.
19 These citations are pending. *Id.*

20 117. Throughout 2022, 2023, 2024, and 2025, Mr. Reyes Andrades regularly attended
21 his check-in appointments with ICE. *Id.* ¶ 8. He completed these requirements "no matter what
22 else was going on," and remained honest with ICE about any arrests. *Id.* ¶ 10. After each arrest
23

1 and after his sole conviction in July of 2024, he completed successful ICE check-ins. *See id.* ¶ 8.

2 He was never told that these incidents would impact his case. *Id.* ¶ 10.

3 118. At his scheduled check-in on January 26, 2026, Mr. Reyes Andrades reported as
4 instructed and was abruptly re-arrested. *Id.* ¶ 9. At the time of his arrest, he was told that his
5 arrest was due to “changes in the law” and because of his criminal conviction. *Id.* He was not
6 given an opportunity to ask any questions nor any opportunity to explain. *See id.* He was
7 eventually transferred to the NWIPC in Tacoma, where he remains detained. *Id.* ¶ 11.

8 119. In detention, Mr. Reyes Andrades has been hospitalized twice within the span of a
9 few weeks. *See id.* He is unable to move independently due to health problems and believes he
10 needs treatment that he is not receiving in detention. *See id.*

11 120. On March 30, 2026, an immigration judge denied Mr. Reyes Andrades’ asylum
12 application. *Id.* ¶ 12. As he remains afraid for his safety in Nicaragua, he intends to continue
13 pursuing protection on appeal and hopes to move to Florida where he can finally benefit from the
14 support of his family. *Id.* ¶¶ 12–13.

15 121. Prior to Mr. Reyes Andrades’ re-arrest in January 2026, he did not receive written
16 notice of the reason for his re-detention.

17 122. Prior to Mr. Reyes Andrades’ re-arrest, ICE did not assess whether he presented a
18 flight risk or danger to the community.

19 123. Prior to Mr. Reyes Andrades’ re-arrest, he was not afforded a hearing before a
20 neutral decisionmaker to determine if his re-detention was justified.

21 LEGAL FRAMEWORK

22 124. Due process requires that if DHS seeks to re-arrest a person like Ms. Lima
23 Gamez, Mr. Abeidna, Ms. Barrientos Quintero, Mr. Gonzalez Juarez, Mr. Mejia Martinez, Mr.

Palomino Cotrina, or Mr. Reyes Andrades—individuals who were released and attending to immigration court dates or pending applications for relief, had lived in the United States without major incident after their initial release, and have otherwise complied with the steps of their immigration processes—the government must afford a hearing before a neutral decisionmaker to determine whether any re-detention is justified because the person is a flight risk or danger to the community.

125. “Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty protected by the Due Process Clause.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). As this Court recently recognized, this is the “the most elemental of liberty interests.” *E.A. T.-B.*, 795 F. Supp. 3d at 1321 (citation modified); *see also Ramirez Tesara*, 800 F. Supp. 3d at 1136 (stating that the petitioner had “an exceptionally strong interest in freedom from physical confinement”).

126. Consistent with this principle, individuals released on parole or other forms of conditional release have a liberty interest in their “continued liberty.” *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972).

127. Such liberty is protected by the Fifth Amendment because, “although indeterminate, [it] includes many of the core values of unqualified liberty,” such as the ability to be gainfully employed and live with family, “and its termination inflicts a ‘grievous loss’ on the [released individual] and often on others.” *Id.*

128. To protect against arbitrary re-detention and to ensure the right to liberty, due 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).

1 129. Due process thus guarantees notice and an individualized hearing before a neutral
2 decisionmaker to assess danger or flight risk before the revocation of an individual's release.
3 *Goldberg v. Kelly*, 397 U.S. 254, 267 (1970) (“The fundamental requisite of due process of law
4 is the opportunity to be heard . . . at a meaningful time in a meaningful manner.” (citation
5 modified)); *see also, e.g., Morrissey*, 408 U.S. at 485 (requiring “preliminary hearing to
6 determine whether there is probable cause or reasonable ground to believe that the arrested
7 parolee has committed . . . a violation of parole conditions” and that such determination be made
8 “by someone not directly involved in the case” (citation modified)).

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

12 131. For example, in *E.A. T.-B.*, this Court applied the *Mathews v. Eldridge*, 424 U.S.
13 319 (1976), framework to hold that even in a case where the government asserted that mandatory
14 detention initially applied, a person's re-detention could not occur absent a hearing. The Court
15 did the same in *Ramirez Tesara*, *Kumar*, *Ledesma Gonzalez*, and several other cases since those
16 decisions. *See Ramirez Tesara*, 800 F. Supp. at 1136–37; *Kumar*, 2025 WL 2677089, at *2–3;
17 *Ledesma Gonzalez*, 808 F. Supp. 3d at 1196, 1201–03.

18 132. In applying the three *Mathews* factors, the *E.A. T.-B.* court held that the petitioner
19 had “undoubtedly [been] deprive[d] . . . of an established interest in his liberty,” 795 F. Supp. 3d
20 at 1321, which, as noted, “is the most elemental of liberty interests,” *id.* (citation modified). The
21 Court further explained that even if detention was mandatory, the risk of erroneous deprivation
22 of liberty without a hearing was high because a hearing serves to ensure that the purposes of
23 detention—the prevention of danger and flight risk—are properly served. *Id.* at 1322–23. Finally,

1 the Court explained that “the Government’s interest in re-detaining non-citizens previously
2 released without a hearing is low: although it would have required the expenditure of finite
3 resources (money and time) to provide Petitioner notice and hearing on [ISAP] violations before
4 arresting and re-detaining him, those costs are far outweighed by the risk of erroneous
5 deprivation of the liberty interest at issue.” *Id.* at 1324. As a result, this Court ordered the
6 petitioner’s immediate release. *Id.*

7 133. This Court applied a similar analysis in *Ramirez Tesara*. In granting the
8 petitioner’s motion for a temporary restraining order, the Court reasoned that the petitioner had a
9 “weighty” interest in his liberty and was entitled to the “full protections of the due process
10 clause.” 800 F. Supp. 3d at 1136. When examining the value of additional safeguards, the Court
11 also noted that despite the government’s allegations of ISAP violations, “the fact ‘that the
12 Government may believe it has a valid reason to detain Petitioner does not eliminate its
13 obligation to effectuate the detention in a manner that comports with due process.’” *Id.* at 1137
14 (quoting *E.A. T.-B.*, 795 F. Supp. 3d at 1322). Finally, the Court reasoned that any government
15 interest in re-detention without a hearing was “minimal.” *Id.* Accordingly, there too, the Court
16 ordered the petitioner’s immediate release. *Id.* at 1138.

17 134. This Court has repeatedly reached the same conclusion in a series of cases since
18 *E.A. T.-B.* and *Ramirez Tesara*. See, e.g., *Kumar*, 2025 WL 2677089, at *3–4; *Ledesma*
19 *Gonzalez*, 808 F. Supp. 3d at 1201–04; *Y.M.M.*, 2025 WL 3101782, at *2; *P.T.*, 2025 WL
20 3294988, at *2–4; *Francois*, 2025 WL 3496557, at *3–4; *Cabrera Perez*, 2026 WL 100735, at
21 *5–6; *Ramirez Tesara v. Wamsley*, No. C25-1723-KKE-TLF, 2025 WL 3288295 (W.D. Wash.
22 Nov. 25, 2025) (granting writ of habeas corpus); *Tomas Manuel*, 2025 WL 3690778, at *3–4,
23 *R&R adopted*, 2025 WL 3697277; *Tsyamba*, 2026 WL 237514, at *4–6; *Shinwari*, 2026 WL

1 262605, at *3–4; *Arroyo Silva*, 2026 WL 445003, at *4–5; *Arrioja Blanco*, 2026 WL 548056, at
2 *3–4; *Espinoza Palacios*, 2026 WL 686138, at *6–9; *Caisa Telenchana*, 2026 WL 696806, at
3 *10–12; *Colina Castro*, 2026 WL 817388, at *5 (explaining that where “[t]here is no indication
4 in the record that these factors [of flight risk or danger to the community] were considered prior
5 to Petitioners’ re-detention . . . Petitioners’ arrests were, for lack of a better term, arbitrary”).

6 135. This Court’s decisions are consistent with many other district court decisions
7 addressing similar situations. *See, e.g., Valdez v. Joyce*, 803 F. Supp. 3d 213 (S.D.N.Y. June 18,
8 2025) (ordering immediate release due to lack of pre-deprivation hearing); *Garro Pinchi v.*
9 *Noem*, 792 F. Supp. 3d 1025 (N.D. Cal. 2025) (similar); *Maklad v. Murray*, No. 1:25-CV-00946
10 JLT SAB, 2025 WL 2299376 (E.D. Cal. Aug. 8, 2025) (similar); *Garcia v. Andrews*, No. 1:25-
11 CV-01006 JLT SAB, 2025 WL 2420068 (E.D. Cal. Aug. 21, 2025) (similar). The same
12 framework and principles apply here and compel the immediate release of all Petitioners.

13 136. In ordering the immediate release of similarly situated petitioners, courts have
14 also enjoined the government from re-detaining them without providing constitutionally
15 adequate procedures. *See, e.g., Ramirez Tesara*, 2025 WL 3288295, at *6 (ordering that the
16 petitioner “cannot be re-detained until after a hearing (with adequate notice) on his alleged parole
17 violations”); *P.T.*, 2025 WL 3294988, at *4 (ordering that government could not re-detain the
18 petitioner absent “a hearing . . . (with adequate notice) to determine whether detention is
19 appropriate”); *Francois*, 2025 WL 3496557, at *4 (similar); *Cabrera Perez*, 2026 WL 100735, at
20 *6 (similar); *Shinwari*, 2026 WL 262605, at *4 (similar); *Sarwari*, 2026 WL 279968, at *8
21 (similar); *Arroyo Silva*, 2026 WL 445003, at *7 (similar); *Arrioja Blanco*, 2026 WL 548056, at
22 *4 (similar); *Ortiz*, 2026 WL 607672, at *7 (similar); *Espinoza Palacios*, 2026 WL 686138, at
23

*11; *Caisa Telenchana*, 2026 WL 696806, at *15 (similar); *Colina Castro*, 2026 WL 817388, at *7 (similar).

137. This Court has recognized that such an injunctive remedy is squarely within its habeas authority to “fashion appropriate relief other than immediate release.” *Arroyo Silva*, 2026 WL 445003, at *6 (quoting *Preiser v. Rodriguez*, 411 U.S. 475, 487 (1973)). The Court has further explained that “[w]here a petitioner demonstrates a cognizable danger of repeated unlawful detention, permanent injunctive relief falls within the breadth and flexibility inherent in habeas equitable powers.” *Id.* (citing *Cummings v. Connell*, 316 F.3d 886, 897 (9th Cir. 2003)).

138. Petitioners satisfy the test for issuing permanent injunctive relief under *eBay Inc. v. MercExchange, L.L.C.*, 547 U.S. 388 (2006). Under *eBay*, a party “seeking a permanent injunction must demonstrate (1) that he has suffered an irreparable injury; (2) that remedies available at law, such as monetary damages, are inadequate to compensate for that injury; (3) that, considering the balance of hardships between the plaintiff and defendant, a remedy in equity is warranted; and (4) that the public interest would not be disserved by a permanent injunction.” 547 U.S. at 391.

139. Here, an order prohibiting Petitioners’ re-detention without notice and a hearing is warranted because Petitioners, if released, will remain subject to similar conditions and are likely to face arbitrary re-detention again. *See Nielsen v. Preap*, 586 U.S. 392, 403 (2019) (explaining that a live controversy remained where permanent injunctive relief had not been entered because the detained “individuals faced the threat of re-arrest and mandatory detention” absent such relief); *see also supra* ¶ 5 (collecting non-exhaustive list of orders from this District finding that Respondents re-detained individuals without adequate notice and pre-deprivation hearing in over 60 instances); *supra* ¶¶ 8–9 (demonstrating that Respondents have continued re-detaining

1 individuals without such procedural safeguards for nearly seven months since first receiving
2 notice that this practice fails to comport with due process); *Ortiz*, 2026 WL 607672, at *5
3 (“[T]he Court finds that Petitioner’s circumstances, in conjunction with the history of habeas
4 orders in this District (and, indeed, nationwide), support Petitioner’s assertion that there exists
5 some cognizable danger of recurrent violation, and not simply a mere possibility his rights could
6 be violated in a similar way yet again.”).

7 140. Recognizing this point, in *Espinoza Palacios* and *Ortiz*, this Court specifically
8 applied the *eBay* factors to issue permanent injunctive relief. First, the Court found that
9 individuals who were already unconstitutionally detained without process had suffered
10 irreparable harm that was “likely to continue or recur absent injunctive relief to protect against
11 further constitutional violations.” *Espinoza Palacios*, 2026 WL 686138, at *10; *see also Ortiz*,
12 2026 WL 607672, at *6 (“It is well established that the deprivation of constitutional rights
13 ‘unquestionably constitutes irreparable injury.’ (quoting *Hernandez v. Sessions*, 872 F.3d 976,
14 994 (9th Cir. 2017))). As detailed above, this is particularly true because in this district alone,
15 Respondents have continued to unlawfully detain hundreds of people like Petitioners for months
16 in the face of established caselaw demonstrating such detentions are unlawful. Second and third,
17 the Court explained that “monetary damages are inadequate to remedy the deprivation of
18 liberty . . . and requiring the Government to follow constitutional procedures imposes no undue
19 hardship.” *Espinoza Palacios*, 2026 WL 686138, at *10. Fourth, “the public interest favors
20 compliance with the law.” *Id.* On this last factor, the *Ortiz* court similarly reasoned that “despite
21 multiple court orders releasing petitioners for being re-detained in violation of due process,”
22 “Respondents’ re-detention procedures [have violated] the rights of many other similarly
23 situat[ed] petitioners in this District.” 2026 WL 607672, at *6. “Ordering Respondents to not re-

1 detain noncitizens without due process does not create a disservice to the greater public; in fact,
2 it reinforces constitutional rights.” *Id.* (citations omitted).

3 141. The same logic applies here, where Petitioners have suffered similar irreparable
4 harm, have endured a constitutional violation that would not be remedied by monetary damages,
5 and request an injunctive remedy that merely requires Respondents to adhere to the law in the
6 future.

7 **CLAIM FOR RELIEF**
8 **Violation of Fifth Amendment Right to Due Process**
9 **Procedural Due Process**

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

11 143. Due process does not permit the government to re-detain Petitioners and strip
12 them of their liberty without written notice and a pre-deprivation hearing before a neutral
13 decisionmaker to determine whether re-detention is warranted based on danger or flight risk. *See*
14 *Morrissey*, 408 U.S. at 487–88. Such written notice and a hearing must occur *prior* to any re-

15 144. Respondents revoked Petitioners’ releases and deprived them of liberty without
16 providing written notice and a meaningful opportunity to be heard by a neutral decisionmaker
17 prior to their re-detention.

18 145. Accordingly, Petitioners’ re-detention violates the Due Process Clause of the Fifth
19 Amendment.

20 **PRAYER FOR RELIEF**

21 WHEREFORE, Petitioners respectfully request that this Court:

22 (1) Assume jurisdiction over this matter;

23 (2) Issue a standard order as provided for by General Order No. 10-25 of this Court;

- 1 (3) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioners from
2 custody immediately and permanently enjoining their re-detention during the
3 pendency of their removal proceedings absent written notice and a hearing prior to re-
4 detention where Respondents must prove by clear and convincing evidence that each
5 Petitioner is a flight risk or danger to the community and that no alternatives to
6 detention would mitigate those risks;
- 7 (4) Order that upon Petitioners' release, Respondents must return to Petitioners any
8 personal property, including personal identification documents (other than a passport)
9 and employment authorization documents (EADs);
- 10 (5) Declare that the re-detention of Petitioners while removal proceedings are ongoing
11 without first providing an individualized determination before a neutral
12 decisionmaker violates the Due Process Clause of the Fifth Amendment;
- 13 (6) Award Petitioners attorney's fees and costs under the Equal Access to Justice Act,
14 and on any other basis justified under law; and
- 15 (7) Grant any further relief this Court deems just and proper.

16 Respectfully submitted this 1st day of April, 2026.

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