

District Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RACHAD TAHA,

Petitioner,

v.

DREW BOSTOCK, *et al.*,

Respondents.

Case No. 2:25-cv-00649-RSM

FEDERAL RESPONDENTS' STATUS
UPDATE AND OPPOSITION TO
PETITIONER'S MOTION FOR
RECONSIDERATION

Rachad Taha asks the Court to reconsider its ruling denying his motion for a temporary restraining order (TRO). The Court should deny his reconsideration motion because it is moot. As Federal Respondents previously explained, an applicant for Temporary Protected Status (TPS) establishes *prima facie* eligibility when U.S. Citizenship and Immigration Services (USCIS) reviews their application and determines their *prima facie* eligibility. *See* Dkt. 12 at 6-10. When Taha filed his petition and his reconsideration motion, he had not established *prima facie* eligibility. However, U.S. Citizenship and Immigration Services (USCIS) has since determined that Taha has established *prima facie* eligibility for Temporary Protected Status (TPS). As a result, today U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) released him from custody on an order of supervision. *See* Cravens Decl. Ex. 1.

Because Taha has been released, his habeas petition seeking his release, as well as his pending reconsideration motion, are moot. Under Article III of the U.S. Constitution, federal

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1 courts may adjudicate only actual, ongoing cases or controversies. *Deakins v. Monaghan*, 484
 2 U.S. 193, 199 (1988). “[F]ederal courts have no jurisdiction to hear a case that is moot.” *Foster*
 3 *v. Carson*, 347 F.3d 742, 745 (9th Cir. 2003). “For a habeas petition to continue to present a live
 4 controversy after the petitioner’s release or deportation ... there must be some remaining
 5 ‘collateral consequence’ that may be redressed by success on the petition.” *Abdala v. I.N.S.*, 488
 6 F.3d 1061, 1064 (9th Cir. 2007).

7 Here, Taha’s petition challenged only his detention and alleged no collateral
 8 consequences. *See* Dkt. 1. Therefore, there is nothing left for this Court to adjudicate, and his
 9 claim is moot. *See Singh v. ICE Field Off. Dir.*, No. 2:24-cv-400-TL-TLF, 2024 WL 3258090, at
 10 *1 (W.D. Wash. June 12, 2024), *rep. & rec. adopted*, No. 2024 WL 3253282 (W.D. Wash. July
 11 1, 2024) (“Because petitioner’s habeas petition challenges only the length of his detention, his
 12 claims were fully resolved by release from custody.”); *Babak v. ICE FOD*, 2:20-cv-212-RSM-
 13 BAT, 2020 WL 1976798, at *1 (W.D. Wash. Mar. 31, 2020), *rep. & rec. adopted*, 2020 WL
 14 1974335, at *1 (W.D. Wash. Apr. 24, 2020) (dismissing habeas petition that challenged only
 15 length of immigration detention as moot after ICE released petitioner on supervision).

16 Because this Court has lost subject-matter jurisdiction, it should deny Taha’s
 17 reconsideration motion and dismiss this proceeding as moot.

18 Dated May 1, 2025.

19 Respectfully submitted,

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