

District Judge Tiffany M. Cartwright

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

ANGEL ROMULO DEL VALLE CASTILLO,
et al.,

Petitioners,

v.

CAMMILLA WAMSLEY, *et al.*,

Respondents.

Case No. 2:25-cv-2054-TMC

FEDERAL RESPONDENTS'¹
RESPONSE TO PETITIONER'S
MOTION FOR TEMPORARY
RESTRAINING ORDER

Federal Respondents submit this response to Petitioners' motion for a temporary restraining order ("TRO") (Dkt. No. 10) asking the Court to prevent ICE from transferring Petitioners out of the Western District of Washington and to return Petitioner Hector Ramirez Garcia back to the Northwest ICE Processing Center ("NWIPC"). Given the overwhelming volume on new habeas petitions and TRO motions currently being filed and the timeframe involved, Federal Respondents regretfully are unable to provide information specific to Petitioners' immigration histories at this time, except to confirm that Petitioner Ramirez Garcia has been transferred out of the NWIPC to a different facility.

¹ Respondent Bruce Scott is not a Federal Respondent.

1 Federal Respondents note, however, that the U.S. Department of Homeland Security
2 (“DHS”) has broad authority under 8 U.S.C. § 1231(g) to determine the placement and transfer of
3 detainees to appropriate detention facilities. Section 1231(g) explicitly authorizes DHS to arrange
4 for appropriate places of detention for individuals detained pending removal or a decision on
5 removal. *See also* 2011 U.S. Immigration and Customs Enforcement, Performance-Based National
6 Detention Standards 2011 (rev. 2016), [https://www.ice.gov/doclib/detention-](https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf)
7 [standards/2011/pbnds2011r2016.pdf](https://www.ice.gov/doclib/detention-standards/2011/pbnds2011r2016.pdf). This includes the authority to acquire, build, lease, and
8 operate detention facilities to meet operational needs. Placement and transfer decisions are made
9 based on operational priorities, including proximity to immigration courts, facility capacity,
10 security needs, medical care, and the ability to meet detention standards. For example, detainees
11 may be placed in facilities near immigration courts to ensure efficient processing and participation
12 in removal proceedings. Transfers occur when detainees need to be relocated to other facilities due
13 to medical care, overcrowding, operational necessity, or security concerns.

14 The Ninth Circuit’s decision in *GEO Group v. Newsom*, 50 F.4th 745 (9th Cir. 2022),
15 further reinforces DHS’s authority over detention and transfers. In *Geo Group*, the court held that
16 California’s AB 32, which banned private detention facilities, was preempted by federal law. The
17 court emphasized that federal immigration law grants DHS/ICE’s exclusive authority to manage
18 detention operations, including the ability to contract with private entities and determine
19 appropriate detention locations.

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1 Accordingly, Federal Respondents ask the Court to deny the motion and defer to ICE's
2 discretion when determining the placement of immigration detainees.

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4 DATED this 31st day of October, 2025.

5 Respectfully submitted,

6 CHARLES NEIL FLOYD
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13 *I certify that this memorandum contains 326 words, in*
14 *compliance with the Local Civil Rules.*