

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANGEL ROMULO DEL VALLE

CASTILLO, et al.,

Petitioner,

v.

CAMMILLA WAMSLEY, et al.,

Respondent.

CASE NO. 2:25-cv-02054-TMC

ORDER GRANTING IN PART MOTION  
TO SHOW CAUSE AND EXPEDITED  
BRIEFING SCHEDULE

On October 21, 2025, Petitioners filed a 28 U.S.C. § 2241 petition for writ of habeas corpus. Dkt. 1. That same day, Petitioners moved *ex parte* to request this Court issue an order to show cause and expedited briefing schedule in this matter—seven days for a response and five days for a reply. Dkt. 2 at 5; Dkt. 2-1 at 1. The Court GRANTS the motion in part and orders an expedited briefing schedule for the reasons that follow.

1. The Court retains discretion to determine when an answer or response to a section 2241 habeas petition is due. *See, e.g.*, Sect. 2254 Rule 1(b) (“The district court may apply any or all of these rules to a habeas corpus petition not covered by [28 U.S.C. § 2254].”); *Clutchette v. Rushen*, 770 F.2d 1469, 1474–75 (9th Cir. 1985) (explaining that pursuant to Habeas Rule 4, the federal court has discretion to fix a time to file an

1 answer beyond the time periods set forth in 28 U.S.C. § 2243). Even when following  
2 28 U.S.C. § 2243, the Court may allow up to twenty days for the return with good  
3 cause. 28 U.S.C. § 2243 (“The writ, or order to show cause . . . shall be returned  
4 within three days unless for good cause additional time, not exceeding twenty days, is  
5 allowed.”). While expedited briefing is warranted, the Court declines to adopt  
6 Petitioners’ proposed briefing schedule. *See* Dkt. 2 at 5; Dkt. 2-1 at 1.

- 7 2. In the exercise of its discretion to fix the response deadline, the Court is mindful that  
8 Congress has clearly indicated that habeas petitioners are entitled to a prompt ruling.  
9 A court considering a habeas application must “*forthwith* award the writ or issue an  
10 order directing the respondent to show cause why the writ should not be granted.”

11 28 U.S.C. § 2243 (emphasis added); *see Fay v. Noia*, 372 U.S. 391, 400 (1963)  
12 (explaining that habeas is meant to provide a “swift and imperative remedy”); *In re*  
13 *Habeas Corpus Cases*, 216 F.R.D. at 53 (“Undue delay in the disposition of habeas  
14 corpus cases is unacceptable.”).

- 15 3. Thus, the Court examines the allegations and circumstances of each case in  
16 determining the due date of a response. In examining the allegations here, the Court  
17 finds there is a basis to expedite this matter. Petitioners—four of whom entered the  
18 United States as children—entered the country without admission or parole, were  
19 apprehended, and were subsequently released, after which they lived in the United  
20 States for years prior to the apprehensions that led to their present detentions. Dkt. 1  
21 ¶¶ 3–4. Petitioners allege that because they resided in the United States for years prior  
22 to their most recent apprehensions, they are unlawfully detained under mandatory  
23 detention policies recently adopted by the Department of Homeland Security and the  
24 Executive Office for Immigration Review, due to which Petitioners have been denied

1 release on bond. Dkt. 1 ¶¶ 4–9. Petitioners contend that they are members of the  
2 certified class in *Rodriguez Vazquez v. Bostock*, in which the Court declared that the  
3 Tacoma Immigration Court’s practice of denying bond to certain detainees on the  
4 basis of 8 U.S.C. § 1225(b) was unlawful. No. 3:25-cv-05240-TMC, 2025 WL  
5 2782499, at \*27 (W.D. Wash. Sept. 30, 2025). Petitioners acknowledge, however,  
6 that Respondents may challenge their membership in the class or whether the holding  
7 of *Rodriguez Vazquez* applies to them. See Dkt. 1 ¶¶ 7–8. Because this question is  
8 more complicated than that presented by a habeas petition from a typical *Rodriguez*  
9 *Vazquez* class member, the Court finds that a longer briefing schedule is needed.

10 4. Accordingly, the Court ORDERS:

- 11 a. Petitioners’ motion, Dkt. 2, is GRANTED IN PART.
- 12 b. Respondents shall file a response to the habeas petition no later than  
13 November 3, 2025. Any arguments that the petition should be dismissed shall  
14 be made in the response and not by separate motion.
- 15 c. Any reply Petitioners wish to file shall be due by November 7, 2025. The  
16 Clerk shall note the matter for November 7, 2025.
- 17 d. The clerk is directed to effectuate immediate service of the habeas petition  
18 filed in this case upon Respondents and shall immediately email a copy of this  
19 order to [usawaw.Habeas@usdoj.gov](mailto:usawaw.Habeas@usdoj.gov).

20 Dated this 23rd day of October, 2025.

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22 \_\_\_\_\_  
23 Tiffany M. Cartwright  
24 United States District Judge