

The Honorable Tiffany M. Cartwright

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Gustavo CORRALES CASTILLO, et
al.,

Petitioners,

v.

Cammilla WAMSLEY, et al.,

Respondents.

Case No. 2:25-cv-2172-TMC

**PETITIONERS' REPLY IN
SUPPORT OF PETITION FOR
WRIT OF HABEAS CORPUS**

Respondents' return confirms Petitioners' entitlement to relief as Bond Denial Class members under the declaratory judgment in *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC, --- F. Supp. 3d ----, 2025 WL 2782499 (W.D. Wash. Sept. 30, 2025). It also demonstrates that immediate release—rather than release on bond—is appropriate for three out of the four petitioners.

First, the Court should order immediate release—not simply an order that allows posting of bond—for Petitioners Corrales Castillo, Cortes-Velador, and Mondragon Vazquez. Petitioners requested this specific relief in their habeas petition, *see* Dkt. 1 at 6, and in their motion for an order to show cause, *see* Dkt. 2 at 3–6. Respondents provide no argument whatsoever in

1 response. *See* Dkt. 9 at 3–4. Longstanding caselaw establishes these three Petitioners’
2 entitlement to unconditional release in light of Respondents’ transparent and continued defiance
3 of the summary judgment in *Rodriguez Vazquez*. *See* Dkt. 2 at 3–6. This is especially true when
4 Respondents have continued to defy the *Rodriguez Vazquez* order even in the face of this Court’s
5 grant of several other petitions filed by class members. *See, e.g., Ortiz Martinez v. Wamsley*, No.
6 2:25-cv-1822-TMC (W.D. Wash.) (habeas petition granted for five class members); *Garcia v.*
7 *Wamsley*, No 2:25-cv-1980-TMC (W.D. Wash.) (habeas petition granted for three class
8 members); *Guzman v. Wamsley*, 2:25-cv-01706-TMC (habeas petition granted for class
9 member); *Castillo Arredondo v. Wamsley*, No. 2:25-cv-01838-TMC (W.D. Wash.) (habeas
10 petition granted for class member) *Cantero Garcia v. Wamsley*, No. 2:25-cv-2092-TMC (W.D.
11 Wash.) (habeas petition granted for four out of five class members); *M.M. v. Wamsley*, No. 2:25-
12 cv-02074-TMC (W.D. Wash.) (habeas petition granted for class member); *Lopez Rojop v.*
13 *Wamsley*, No. 2:25-cv-02058-TMC (W.D. Wash.) (habeas petition granted for class member).
14 The Court should thus reject Respondents’ request that the Court grant only the relief of
15 conditional release on bond for Petitioners Corrales Castillo, Cortes-Velador, and Mondragon
16 Vazquez. *See* Dkt. 9 at 4. Instead, the relief of immediate release is appropriate in this situation,
17 where Respondents have chosen to defy this Court’s judgment, have offered no defense to this
18 habeas petition, and have offered no authority in response to Petitioners’ arguments that
19 immediate release is appropriate.

20 Second, as to Petitioner Padilla-Paz, Respondents do not rebut her class membership. *See*
21 Dkt. 9 at 1 (acknowledging all Petitioners are members of the Bond Denial Class). Instead,
22 relying on this Court’s order in *Cantero Garcia v. Wamsley*, No. 2:25-CV-02092-TMC, 2025
23 WL 3123996 (W.D. Wash. Nov. 7, 2025), they ask the Court to deny relief because the IJ
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1 alternatively found her a flight risk or danger to the community. *See* Dkt. 9 at 5. In *Cantero*
2 *Garcia*, this Court denied the habeas petition of a similarly situated individual. There, like here, a
3 *Rodriguez Vazquez* class member was denied bond for two reasons: (1) 8 U.S.C. § 1225(b)(2),
4 and (2) a danger finding. 2025 WL 3123996 at *2. The Court reasoned that because the habeas
5 petition sought to overturn only one basis for his detention, another lawful basis for detention
6 remained. *Id.*

7 However, as Supreme Court precedent demonstrates, a petition need not result in
8 immediate release to justify challenging unlawful detention. For example, like this case, *St. Cyr*
9 *v. INS*, 533 U.S. 289 (2001), involved a challenge to the agency’s interpretation of the law that
10 was *necessary* to obtain release, but was not *sufficient* to obtain release. Specifically, in *St. Cyr*,
11 the Supreme Court addressed a habeas petition that challenged whether a part of the recently
12 enacted Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), which
13 had eliminated a form of discretionary relief to lawful permanent residents (LPR), was
14 retroactive to an LPR’s pre-IIRIRA conviction. 533 U.S. at 315–26. The Court held that the
15 relevant relief-stripping provision of IIRIRA was not retroactive. *Id.* at 326. But answering that
16 question in the negative did not mean a person was released: they might still be lawfully detained
17 pursuant to that conviction, and still had to convince an immigration judge to use the judge’s
18 discretion to afford them relief from removal. *See id.* at 325 (explaining that the fact that the
19 relief from removal was discretionary (and thus an LPR might ultimately be denied relief and
20 removed) did not prevent the Court from holding that IIRIRA was not retroactive). The situation
21 here is analogous. In the instant habeas petition, Ms. Padilla-Paz attacks one basis for her
22 unlawful detention: the application of § 1225(b)(2). As in *St. Cyr*, that attack on an unlawful
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basis for her detention is necessary to obtain release, but it is not sufficient: she still must convince the agency that she should be released.

Critically, absent this Court’s intervention, the Board may simply affirm any order denying bond based on the jurisdictional holding, finding that it is dispositive of the matter and thus there is no need to address alternative reasons for denying bond. *See Matter of G-C-I-*, 29 I. & N. Dec. 176, 184 n.6 (BIA 2025) (“Because we affirm the Immigration Judge’s decision for the reasons discussed, we need not address any other issues raised on appeal. *See INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) (explaining that, “[a]s a general rule[,] courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach”).” (alterations in original)). This concern is especially pronounced where the agency has repeatedly defied this Court’s judgment applying the appropriate statutory framework to class members.

For the foregoing reasons, Petitioners respectfully request that the Court enforce the summary judgment in *Rodriguez Vazquez* by (1) ordering the immediate and unconditional release of Petitioners Corrales Castillo, Cortes-Velador, and Mondragon Vazquez; and (2) requiring Respondents to consider Petitioner Padilla-Paz to be detained under § 1226(a) and prohibiting them from applying § 1225(b)(2) to deny her bond appeal or to affirm the IJ’s bond denial.

DATED this 12th day of November, 2025.

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I certify that this memorandum contains 969 words, in compliance with the Local Civil Rules.

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