

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Juan LEON FIGUEROA, Salvador
GUDIÑO HERRERA, Adolfo
CARRILLO AHILON, and Baltazar
LOPEZ MENDEZ,

Petitioners,

v.

Cammilla WAMSLEY, Seattle Field
Office Director, Enforcement and
Removal Operations, U.S. Immigration
and Customs Enforcement (ICE); U.S.
DEPARTMENT OF HOMELAND
SECURITY; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; Bruce
SCOTT, Warden, Northwest ICE
Processing Center,

Respondents.

Case No. 2:25-cv-2228

**PETITION FOR WRIT OF
HABEAS CORPUS**

**INDIVIDUAL
ENFORCEMENT OF
RODRIGUEZ VAZQUEZ BOND
DENIAL CLASS JUDGMENT**

FACTS

1. Petitioners Juan Leon Figueroa, Salvador Gudiño Herrera, Adolfo Carrillo Ahilon, and Baltazar Lopez Mendez bring this petition for a writ of habeas corpus to seek enforcement of their rights as members of the Bond Denial Class certified in *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC (W.D. Wash. filed Mar. 20, 2025).¹

2. On September 30, 2025, this Court issued a final judgment “declar[ing] that Bond Denial Class members are detained under 8 U.S.C. § 1226(a) and are not subject to mandatory detention under 8 U.S.C. § 1225(b)(2).” *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC, --- F. Supp. 3d ----, 2025 WL 2782499, at *27 (W.D. Wash. Sept. 30, 2025).

3. The Court further declared “that the Tacoma Immigration Court’s practice of denying bond to Bond Denial Class members on the basis of § 1225(b)(2) violates the Immigration and Nationality Act.” *Id.*

Petitioner Juan Leon Figueroa

4. Petitioner Leon Figueroa is a member of the Bond Denial Class, as he:

- (a) does not have lawful status in the United States and is currently detained at NWIPC after being apprehended by U.S. Immigration and Customs Enforcement (ICE) on October 17, 2025, *see* Ex. B;²
- (b) entered the United States without inspection nearly twenty years ago and was not apprehended upon arrival, *see* Ex. A; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

5. After apprehending Mr. Leon on October 17, the Department of Homeland Security (DHS) placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has

¹ The Bond Denial Class is comprised of “[a]ll noncitizens without lawful status detained at the Northwest ICE Processing Center [NWIPC] who (1) have entered or will enter the United States without inspection, (2) are not apprehended upon arrival, (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the noncitizen is scheduled for or requests a bond hearing.” *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-05240-TMC, --- F. Supp. 3d ----, 2025 WL 2782499, at *6 (W.D. Wash. Sept. 30, 2025).

² All exhibit citations are to the authenticating declaration of Amanda Ng filed contemporaneously with this petition.

1 charged Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who
 2 entered the United States without inspection. *See id.*

3 6. On November 3, 2025, an Immigration Judge (IJ) denied Mr. Leon's bond request
 4 based on lack of jurisdiction, finding that he is subject to mandatory detention under 8 U.S.C.
 5 § 1225(b)(2)(A). The IJ ruled that, in the alternative, if mandatory detention did not apply, the IJ
 6 would have set bond at \$8,000. Ex. C.

7 **Petitioner Salvador Gudiño Herrera**

8 7. Petitioner Gudiño Herrera is a member of the Bond Denial Class, as he:

- 9 (a) does not have lawful status in the United States and is currently detained
 10 at NWIPC after being apprehended by U.S. Immigration and Customs
 Enforcement (ICE) on September 17, 2025, *see* Ex. E;
- 11 (b) entered the United States without inspection nearly twenty years ago and
 12 was not apprehended upon arrival, *see* Ex. D; and
- 13 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

14 8. After apprehending Mr. Gudiño on September 17, DHS placed him in removal
 15 proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Mr. Gudiño as being inadmissible
 16 under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection.
 17 *See id.*

18 9. On October 30, 2025, an IJ denied Petitioner's bond request based on lack of
 19 jurisdiction, finding that Petitioner is subject to mandatory detention under 8 U.S.C.
 20 § 1225(b)(2)(A). The IJ ruled that, in the alternative, if mandatory detention did not apply, the IJ
 21 would have set bond at \$10,000. *See* Ex. F.

22 **Petitioner Adolfo Carrillo Ahilon**

23 10. Petitioner Carrillo Ahilon is a member of the Bond Denial Class, as he:

- 24 (a) does not have lawful status in the United States and is currently detained
 25 at NWIPC after being apprehended by ICE on November 5, 2025, *see*
 Decl. of Adolfo Carrillo Ahilon (Carrillo Decl.) ¶¶ 1, 4;
- 26 (b) entered the United States without inspection over twenty years ago and
 27 was not apprehended upon arrival, *see id.* ¶ 1; Ex. G; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

11. After apprehending Mr. Carrillo on November 3, DHS placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection. *See* Ex. G.

12. On November 7, 2025, Mr. Carrillo's attorney submitted a motion for a bond hearing with the Tacoma Immigration Court. Decl. of Aliya Karmali (Karmali Decl.) ¶¶ 2, 4. As of the instant petition, Mr. Carrillo's request for a bond hearing is pending acceptance in the immigration court's online filing system. *Id.* ¶ 4.

Petitioner Baltazar Lopez Mendez

13. Petitioner Lopez Mendez is a member of the Bond Denial Class, as he:

- (a) does not have lawful status in the United States and is currently detained at NWIPC after being apprehended by ICE on October 22, 2025, Ex. H;
- (b) entered the United States without inspection nearly twenty years ago and was not apprehended upon arrival, *see id.*; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

14. After apprehending Mr. Lopez on October 22, DHS placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection. *See id.*

15. For all Petitioners, Respondents are bound by the judgment in *Rodriguez Vazquez*, as it has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a). Nevertheless, Respondents continue to flagrantly defy the judgment in that case and continue to subject Petitioners to unlawful detention despite their clear entitlement to consideration for release on bond as Bond Denial Class members.

16. The Court should expeditiously grant this petition. Because Respondents are not complying with the final declaratory judgment in *Rodriguez Vazquez*, it should order immediate

1 release as to all Petitioners with alternative bond orders (Petitioners Leon Figueroa and Gudiño
2 Herrera).

3 17. In the alternative, for those with alternative bond orders, the Court should order
4 that within one day, Respondent Department of Homeland Security (DHS) must release
5 Petitioners or allow for Petitioners' release upon payment of the alternative bond amount set by
6 the IJs.

7 18. Finally, for those Petitioners who have not yet received a hearing (Petitioners
8 Carrillo Ahilon and Lopez Mendez), Petitioners request an order requiring their release unless
9 Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

10 JURISDICTION & VENUE

11 19. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C.
12 § 1331 (federal question), and Article I, section 9, clause 2 of the United States Constitution (the
13 Suspension Clause). The Court may grant relief pursuant to 28 U.S.C. § 2241; the Declaratory
14 Judgment Act, 28 U.S.C. § 2201 *et seq.*; and the All Writs Act, 28 U.S.C. § 1651.

15 20. Venue is proper in this District because Petitioners are detained at the Northwest
16 ICE Processing Center (NWIPC) in Tacoma, Washington. Venue is also proper under 28 U.S.C.
17 § 1391(e) because Respondents are employees, officers, and agencies of the United States, and a
18 substantial part of the events or omissions giving rise to the claims occurred in this District.

19 PARTIES

20 21. Petitioner Juan Leon Figueroa was apprehended by immigration officers on
21 October 17, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class
22 certified in *Rodriguez Vazquez*.

23 22. Petitioner Salvador Gudiño Herrera was apprehended by immigration officers on
24 September 17, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial
25 Class certified in *Rodriguez Vazquez*.

23. Petitioner Adolfo Carrillo Ahilon was apprehended by immigration officers on November 5, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

24. Petitioner Baltazar Lopez Mendez was apprehended by immigration officers on October 22, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

25. Respondent Cammilla Wamsley is the Seattle Field Office Director of ICE's Enforcement and Removal Operation division. As Petitioners' immediate custodian, she is responsible for Petitioners' detention and removal. She is named in her official capacity.

26. Respondent U.S. Department of Homeland Security (DHS) is the federal agency responsible for implementing and enforcing the Immigration and Nationality Act (INA), including the detention and removal of noncitizens.

27. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

28. Respondent Bruce Scott is employed by The Geo Group, Inc., as Warden of the NWIPC, where Petitioners are detained. He has immediate physical custody of Petitioners. He is sued in his official capacity.

CLAIMS FOR RELIEF

Violation of the INA: Request for Relief Pursuant to *Rodriguez Vazquez*

29. Petitioners repeat, re-allege, and incorporate by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

30. As members of the Bond Denial Class, Petitioners are entitled to consideration for release on bond under 8 U.S.C. § 1226(a).

31. The judgment in *Rodriguez Vazquez* makes clear that Respondents violate the INA in applying the mandatory detention statute at § 1225(b)(2) to class members.

32. Respondents are parties to *Rodriguez Vazquez* and bound by the Court's declaratory judgment, which has the full "force and effect of a final judgment." 28 U.S.C. § 2201(a).

33. By denying Petitioners a bond hearing under § 1226(a) and asserting that they are subject to mandatory detention under § 1225(b)(2), Respondents violate Petitioners' rights under the INA and this Court's judgment in *Rodriguez Vazquez*.

PRAYER FOR RELIEF

WHEREFORE, Petitioners pray that this Court grant the following relief:

- a. Assume jurisdiction over this matter;
- b. Issue a writ of habeas corpus and order the immediate release of Petitioners with alternative bond orders (Petitioners Leon Figueroa and Gudiño Herrera);
- c. Alternatively, issue a writ of habeas corpus requiring that within one day, Respondents release Petitioners with alternative bond orders unless they allow for those Petitioners' release upon payment of the alternative bond amount and any other conditions set by the IJs;
- d. Issue a writ of habeas corpus as to Petitioners Carrillo Ahilon and Lopez Mendez requiring Respondents to provide a bond hearing under 8 U.S.C. § 1226(a) within seven days;
- e. Award Petitioners attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- f. Grant any other and further relief that this Court deems just and proper.

DATED this 7th of November, 2025.

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