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Petitioner(s),

v.

NAVEEN KUMAR,

CAMMILLA WAMSLEY, et al.,

Respondent(s).

## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE

CASE NO. C25-2055-KKE

ORDER GRANTING MOTION FOR ORDER TO SHOW CAUSE

Having considered Petitioners' Motion for Order to Show Cause, the Court GRANTS the motion. Accordingly, the Court ORDERS as follows:

- 1. The clerk is directed to immediately arrange for service of the habeas petition filed in this case upon Respondents Cammilla Wamsley, Kristi Noem, United States Department of Homeland Security, Pamela Bondi, and Bruce Scott; upon the United States Attorney General in Washington, D.C.; and upon the civil process clerk at the Office of the United States Attorney for the Western District of Washington, by registered or certified mail, return receipt requested. The clerk is further directed to immediately email a copy of this order to <a href="mailto:usawaw.Habeas@usdoj.gov">usawaw.Habeas@usdoj.gov</a>.
- 2. Respondents shall file their return to the petition by no later than October 30, 2025. Respondents may file any arguments that seek to dismiss their petition along with the return but shall not separately note a motion to dismiss pursuant to Local Civil Rule 7(d).

- 3. Petitioner shall file any traverse and response to Respondents' return within five days of the filing of Respondents' return.
- 4. To preserve the opportunity to determine whether the court has subject matter jurisdiction and, if so, to consider whether habeas relief is warranted, a court may issue an order to maintain the status quo. *See United States v. United Mine Workers of Am.*, 330 U.S. 258, 293 (1947) ("[T]he District Court ha[s] the power to preserve existing conditions while it . . . determine[s] its own authority to grant injunctive relief," unless the assertion of jurisdiction is frivolous.). This is particularly so when the order is necessary to prevent action that would otherwise destroy the court's jurisdiction or moot the case. *United States v. Shipp*, 203 U.S. 563, 573 (1906). Accordingly, to allow Petitioner time to move for emergency relief in the event he is to be transferred or removed before this Court reviews his petition, the Court ORDERS that Respondents must provide Petitioner and Petitioner's counsel in this habeas action at least 48 hours' notice (or 72 hours' notice if the period extends into the weekend) prior to any action to move or transfer him from the Northwest Immigration and Customs Enforcement Processing Center or to remove him from the United States.
- 5. The Clerk shall note this matter as ready for the Court's consideration on November 5, 2025.

Dated this 22nd day of October, 2025.

Ayuberly K Evanson

Kymberly K. Evanson United States District Judge