

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Ruben HERNANDEZ RAMOS, Fernando
VARELA MONTOYA, Anatalia
MARQUEZ AGUILAR, Javier
MORALES MARTINEZ, Felipe
ZENDEJAS LANGO, and Ignacio Manuel
PULIDO GOMEZ,

Petitioners,

v.

Laura HERMOSILLO, Seattle Field
Office Acting 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-2273

**PETITION FOR WRIT OF
HABEAS CORPUS**

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

1 **FACTS**

2 1. Petitioners Ruben Hernandez Ramos, Fernando Varela Montoya, Anatalia
3 Marquez Aguilar, Javier Morales Martinez, Felipe Zendejas Lango, and Ignacio Manuel Pulido
4 Gomez bring this petition for a writ of habeas corpus to seek enforcement of their rights as
5 members of the Bond Denial Class certified in *Rodriguez Vazquez v. Bostock*, No. 3:25-CV-
6 05240-TMC (W.D. Wash. filed Mar. 20, 2025).¹

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

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

14 **Petitioner Ruben Hernandez Ramos**

15 4. Petitioner Hernandez Ramos is a member of the Bond Denial Class, as he:

- 16 (a) does not have lawful status in the United States and is currently detained
17 at Northwest ICE Processing Center (NWIPC) after being apprehended by
18 U.S. Immigration and Customs Enforcement (ICE) on October 7, 2025,
19 *see Ex. A*;²
20 (b) entered the United States without inspection over fifteen years ago and
21 was not apprehended upon arrival, *see Ex. B*; and
22 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

23 5. After apprehending Mr. Hernandez on October 7, the Department of Homeland
24 Security (DHS) placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has

25 ¹ The Bond Denial Class is comprised of “[a]ll noncitizens without lawful status detained at the
26 Northwest ICE Processing Center [NWIPC] who (1) have entered or will enter the United States
27 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. Hernandez's bond
 4 request based on lack of jurisdiction, finding that he is subject to mandatory detention under 8
 5 U.S.C. § 1225(b)(2)(A). The IJ ruled that, in the alternative, if mandatory detention did not
 6 apply, the IJ would have set bond at \$10,000. Ex. C.

7 **Petitioner Fernando Varela Montoya**

8 7. Petitioner Varela Montoya 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 ICE on October 16, 2025, *see* Ex. D;
- 11 (b) entered the United States without inspection around twenty-five years ago
 12 and was not apprehended upon arrival, *see* Ex. E; and
- 13 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

14 8. After apprehending Mr. Varela on October 16, DHS placed him in removal
 15 proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Mr. Varela 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 November 10, 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 \$7,500. *See* Ex. F.

22 **Petitioner Anatalia Marquez Aguilar**

23 10. Petitioner Marquez Aguilar is a member of the Bond Denial Class, as she:

- 24 (a) does not have lawful status in the United States and is currently detained
 25 at NWIPC after being apprehended by ICE on October 17, 2025, *see* Ex. G;
- 26 (b) last entered the United States without inspection over two years ago and
 27 was not apprehended upon arrival, *see* Decl. of Anatalia Marquez Aguilar (Marquez Decl.) ¶ 1; and

(c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

11. After apprehending Ms. Marquez on October 17, DHS placed her in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Ms. Marquez 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 at 4.*

Petitioner Javier Morales Martinez

12. Petitioner Morales Martinez 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 over twenty years ago and was not apprehended upon arrival, *see Ex. I*; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

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

Petitioner Felipe Zendejas Lango

14. Petitioner Zendejas Lango 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 or around November 4, 2025, Decl. of Felipe Zendejas Lango (Zendejas Decl.) ¶¶ 2–3;
- (b) entered the United States without inspection around nineteen years ago and was not apprehended upon arrival, *see id.* ¶ 2; and
- (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

15. After apprehending Mr. Zendejas on November 4, DHS placed him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Mr. Zendejas as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection. *See id.*

1 16. Mr. Zendejas has requested a bond hearing before the Tacoma Immigration Court.
2 *See id.* ¶ 7. He is currently scheduled for a bond hearing on November 17, 2025. *Id.*

3 **Petitioner Ignacio Manuel Pulido Gomez**

4 17. Petitioner Pulido Gomez is a member of the Bond Denial Class, as he:

5 (a) does not have lawful status in the United States and is currently detained at
6 NWIPC after being apprehended by ICE on April 14, 2025, Ex. H;

7 (b) entered the United States without inspection over fifteen years ago and was not
8 apprehended upon arrival, *see* Ex. K; and

9 (c) is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231.

10 18. After apprehending Mr. Pulido Gomez on April 14, DHS placed him in removal
11 proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged Petitioner as being inadmissible
12 under 8 U.S.C. § 1182(a)(6)(A)(i), as someone who entered the United States without inspection.
13 *Id.*

14 19. The Court should expeditiously grant this petition.

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

20 21. Because Respondents are not complying with the final declaratory judgment in
21 *Rodriguez Vazquez*, it should order immediate and unconditional release as to all Petitioners who
22 have received alternative bond orders by an IJ (Petitioners Ruben Hernandez Ramos and
23 Fernando Varela Montoya).

24 22. Alternatively, for those Petitioners, the Court should order that within one day,
25 Respondent DHS must release Petitioners or allow for Petitioners’ release upon payment of the
26 alternative bond amount set by the IJs.
27

23. Finally, for those Petitioners who have not yet received a hearing (Petitioners Anatalia Marquez Aguilar, Javier Morales Martinez, Felipe Zendejas Largo, and Ignacio Manuel Pulido Gomez), Petitioners request an order requiring their release unless Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven days.

JURISDICTION & VENUE

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

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

PARTIES

26. Petitioner Ruben Hernandez Ramos was apprehended by immigration officers on October 7, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

27. Petitioner Fernando Varela Montoya was apprehended by immigration officers on October 16, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

28. Petitioner Anatalia Marquez Aguilar was apprehended by immigration officers on October 17, 2025, and is currently detained at NWIPC. She is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

29. Petitioner Javier Morales Martinez 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*.

30. Petitioner Felipe Zendejas Lango was apprehended by immigration officers on or around November 4, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

31. Petitioner Ignacio Manuel Pulido Gomez was apprehended by immigration officers on April 14, 2025, and is currently detained at NWIPC. He is a member of the Bond Denial Class certified in *Rodriguez Vazquez*.

32. 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.

33. 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.

34. 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.

35. 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*

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

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

38. 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.

39. 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).

40. 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, unconditional release of Petitioners with alternative bond orders (Petitioners Hernandez Ruben and Montoya);
- 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 Marquez Aguilar, Morales Martinez, Zendejas Lango, and Pulido Gomez, 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 14th of November, 2025.

s/ Matt Adams

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