

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Moein Bozorgpasand v. Facility Administrator, Northwest
Immigration and Customs Enforcement Processing Center

Bozorgpasand · No. 25-cv-1177-JHC · Decided January 22, 2026

SUMMARY

The United States District Court for the Western District of Washington granted Moein Bozorgpasand’s petition for a writ of habeas corpus challenging his prolonged detention under 8 U.S.C. § 1231 and Zadvydas v. Davis. The court concluded that removal was not reasonably foreseeable because Iran was unavailable due to withholding of removal, Costa Rica had declined to accept him, and the Government had not pursued removal to another country. The court ordered his immediate release on reasonable conditions of supervision.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	John H. Chun
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	January 22, 2026
DOCKET	25-cv-1177-JHC
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging prolonged post-removal-order immigration detention.
STANDARD OF REVIEW	The habeas petitioner bears the burden of proving by a preponderance of the evidence entitlement to relief.
PRECEDENTIAL VALUE	Unknown; federal district court order with no reporter citation or stated precedential status.
PARTIES	Moein Bozorgpasand v. Facility Administrator, Northwest Immigration and Customs Enforcement Processing Center

TOPICS

- immigration detention
- federal habeas corpus
- removal proceedings
- immigration
- due process

PRACTICE AREAS

immigration detention

federal habeas corpus

immigration law

QUESTIONS PRESENTED

1. Whether Petitioner's continued detention after expiration of the statutory removal period violated 8 U.S.C. § 1231 and the constitutional limitation recognized in *Zadvydas v. Davis*.
2. Whether Petitioner showed good reason to believe that his removal was not reasonably foreseeable and, if so, whether Respondents rebutted that showing with sufficient evidence.

HOLDINGS

1. Under 8 U.S.C. § 1231(a)(6), the Government may continue detaining a noncitizen after the 90-day removal period, but detention is limited to the period reasonably necessary to accomplish removal and may not continue indefinitely.
2. Petitioner established good reason to believe that his removal was not reasonably foreseeable where Iran was unavailable because of the withholding order, Costa Rica had rejected him, no other third country had been identified, and the Government had not shown that it pursued removal to another country.
3. Respondents failed to rebut Petitioner's showing because evidence that Petitioner had not identified a preferred third country did not establish that removal was reasonably foreseeable, and Respondents provided no evidence of efforts to secure removal to another country or any explanation for the delay.

KEY QUOTATIONS

“In Zadvydas, the Supreme Court held that § 1231 “limits [a noncitizen]’s post-removal-period detention to a period reasonably necessary to bring about that [noncitizen]’s removal from the United States.””

(Discussion)

“After this 6-month period, once the [noncitizen] provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing.” (Discussion)

“ORDERS that Petitioner must be released from custody immediately on reasonable conditions of supervision.” (Conclusion)

FACTUAL BACKGROUND

Moein Bozorgpasand entered the United States on or about October 20, 2024, was detained, and was issued an expedited-removal notice. After asserting fear of return to Iran, he pursued asylum and withholding of removal; the immigration judge denied asylum, granted withholding of removal to Iran, and entered a removal order that became final on May 1, 2025. Costa Rica rejected a request to accept him, and the Government identified no other country or initiated another removal request while he remained detained at the Northwest ICE Processing Center. His wife, who entered with him, was released after a positive credible-fear interview and remained in the United States.

PROCEDURAL HISTORY

Petitioner was detained after entering the United States and was later placed in removal proceedings. An immigration judge denied asylum, granted withholding of removal to Iran, ordered Petitioner removed, and Petitioner waived appeal, making the removal order administratively final on May 1, 2025. Petitioner filed a § 2241 habeas petition challenging continued detention under *Zadvydas v. Davis*. The district court granted the petition and ordered immediate release subject to reasonable conditions of supervision.

DISPOSITION

writ_granted

CASES CITED

- *Davis v. Woodford*, 384 F.3d 628, 638 (9th Cir. 2004)
- *Zadvydas v. Davis*, 533 U.S. 678, 682, 689, 699-701 (2001)
- *Johnson v. Guzman Chavez*, 594 U.S. 523, 535-36 (2021)
- *Kumar v. Wamsley*, No. C25-2055-KKE, 2025 WL 3204724, at *6 (W.D. Wash. Nov. 17, 2025)