

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

**Uriel Mendoza Araiza v. Laura Hermosillo, Seattle Field Office
Director, Enforcement and Removal Operations, U.S. Immigration
and Customs Enforcement (Acting), et al.**

Case No. 2:25-cv-02139-TL (W.D. Wash. Dec. 8, 2025) · No. 2:25-cv-02139-TL · Decided December 8, 2025

OPINION

Wamsley

PER CURIAM.

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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

9 AT SEATTLE

10 11 Uriel MENDOZA ARAIZA, CASE NO. 2:25-cv-02139-TL 12 Petitioner, ORDER ON
PETITION FOR WRIT 13 v.

OF HABEAS CORPUS

14 Laura HERMOSILLO, Seattle Field Office Director, Enforcement and Removal 15 Operations,
U.S. Immigration and Customs Enforcement (Acting), et al., 16 Respondents. 17 18 This matter is
before the Court on Petitioner Uriel Mendoza Araiza’s petition for writ of 19 habeas corpus (Dkt.
No. 1) and Petitioner’s ex parte motion for a decision (Dkt. No. 11). 20 Petitioner is presently
detained at the Northwest ICE Processing Center (“NWIPC”) in Tacoma, 21 Washington, where
he has been held since Immigration and Customs Enforcement (“ICE”) 22 officers apprehended
him on September 29, 2025. Id. ¶ 4. Having reviewed the petition and 23 motion, Respondents’
return (Dkt. No. 9), Petitioner’s traverse (Dkt. No. 10), and the relevant 24 record, the Court
GRANTS the petition.

1 I. BACKGROUND

2 Petitioner, born in 1982, is a native and citizen of Mexico. Dkt. No. 4-2 (Notice to 3 Appear) at
2. Petitioner does not have lawful status in the United States and asserts that he 4 “entered the
United States without inspection over twenty years ago and was not apprehended on 5 arrival.”
Dkt. No. 1 ¶¶ 4(a)–(b). Relevant here, in 2006, Petitioner was convicted of shoplifting 6 in
Monterey County, California. Dkt. No. 1 ¶ 10. 7 On September 29, 2025, ICE officers
apprehended Petitioner in Yakima, Washington. 8 Dkt. No. 4-1 (Record of
Deportable/Inadmissible Alien) at 4. After apprehending Petitioner, the 9 Department of
Homeland Security (“DHS”) placed Petitioner in removal proceedings pursuant to 10 8 U.S.C. §
1182(a)(6)(A)(i), charging Petitioner as being inadmissible as someone who entered 11 the United

States without inspection. Dkt. No. 1 ¶ 5. On October 24, 2025, an immigration judge 12 (“IJ”) denied Petitioner’s bond request based on lack of jurisdiction, finding that Petitioner is 13 subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). Id. ¶ 6. The IJ also found that 14 Petitioner is subject to mandatory detention pursuant to the Laken Riley Act (“LRA”), Pub. L. 15 No. 119–1, 139 Stat. 3 (2025), which provides that a person who “is inadmissible under 16 paragraph (6)(A), (6)(C), or (7) of section 1182(a) of this title” and who “is charged with, is 17 arrested for, is convicted of, admits having committed, or admits committing acts which 18 constitute the essential elements of . . . shoplifting” is subject to mandatory detention. 8 U.S.C. 19 § 1226(c)(1)(E). Dkt. No. 1 ¶¶ 7–8. The IJ determined that Petitioner’s 2006 conviction for 20 shoplifting places Petitioner within the ambit of the LRA, thus rendering his detention 21 mandatory. 22 On October 30, 2025, Petitioner filed the instant petition for writ of habeas corpus. Dkt.

23 No. 1. That same day, Petitioner filed an ex parte motion for an order to show cause. Dkt. No. 2.

24 On November 7, 2025, the Court granted the motion and set a briefing schedule. Dkt. No. 8. On

1 November 24, 2025, the petition became ripe for review. Id. at 3. On December 5, 2025,

2 Petitioner filed an ex parte motion for a decision, requesting an immediate decision on the 3 habeas petition. Dkt. No. 11.

4 II. LEGAL STANDARD

5 “Writs of habeas corpus may be granted by . . . the district courts . . . within their 6 respective jurisdictions.” 28 U.S.C. § 2241(a). A habeas petitioner must prove by the 7 preponderance of the evidence that he is “in custody in violation of the Constitution or laws or 8 treaties of the United States.” *Davis v. Woodford*, 384 F.3d 628, 638 (9th Cir. 2004); 28 U.S.C. 9 § 2241(c).

10 III. DISCUSSION

11 Petitioner’s petition presents the Court with three questions. First, the Court must 12 determine whether the LRA applies retroactively to Petitioner’s 2006 shoplifting conviction. If it 13 does, then Petitioner’s detention is mandatory and the petition must be denied. Second, if the 14 LRA does not apply retroactively, then the Court must determine whether Petitioner is a class 15 member of the Bond Denial Class defined in *Rodriguez Vazquez v. Bostock*, No. C25-5240, 2025 16 WL 2782499, at *27 (W.D. Wash. Sept. 30, 2025). Third, and finally, the Court must adjudicate 17 the merits of the petition. 18 A. Retroactivity of the Laken Riley Act and Class Membership 19 Respondents assert that “[w]hile [they] do not agree with the *Rodriguez Vazquez* 20 decision, they do not oppose this Petitioner being considered members of the Bond Denial Class 21 for purposes of this litigation.” Dkt. No. 9 at 3 (footnote omitted). This assertion means that 22 Respondents agree with Petitioner that the LRA does not apply retroactively because a 23 noncitizen to whom the LRA applies cannot by definition be included in the *Rodriguez Vazquez* 24 Bond Denial Class. See *Rodriguez Vazquez*, 2025 WL 2782499, at *6 (defining class members as 1 noncitizens who,

in part, “are not or will not be subject to detention under 8 U.S.C. § 1226(c)” — 2 regarding the detention of criminal noncitizens — “at the time the noncitizen is scheduled for or 3 requests a bond hearing”). Put differently, if Respondents agree that Petitioner is in the Bond 4 Denial Class, they must also agree that the LRA does not apply to him or to his 2006 conviction. 5 The Court thus considers Respondents to have conceded the questions concerning 6 retroactivity with regard to the LRA and class membership. 7 B. Habeas Corpus 8 Because the Court treats Petitioner as a member of the Rodriguez Vazquez Bond Denial 9 Class, the declaratory relief that the Rodriguez Vazquez court issued to class members is 10 appropriately issued to Petitioner here: 11 Bond Denial Class members are detained under 8 U.S.C. § 1226(a) and are not subject to mandatory detention under 12 8 U.S.C. § 1225(b)(2). The Court further declares that the Tacoma Immigration Court’s practice of denying bond to Bond Denial 13 Class members on the basis of § 1225(b)(2) violates the Immigration and Nationality Act. 14 15 Rodriguez Vazquez, 2025 WL 2782499, at *27. Therefore, “[f]or the same reasons that this Court 16 granted Bond Denial Class members declaratory relief, the Court finds that Petitioner[] [is] 17 detained under § 1226(a) and not subject to mandatory detention under § 1225(b)(2).” 18 Hernandez Ramos v. Hermosillo, No. C25-2273, 2025 WL 3251159, at *2 (W.D. Wash. Nov. 19 21, 2025) (citing Rodriguez Vazquez, 2025 WL 2782499, at *27). Pursuant to Rodriguez 20 Vazquez, then, and similarly to other Bond Denial Class members, Petitioner has shown that he is 21 “in custody in violation of the” INA. See 28 U.S.C. § 2241(c)(3). 22 Given Petitioner’s class membership, Respondents assert that “the appropriate relief 23 would be for [Petitioner] to have a bond redetermination hearing in the immigration court 24 pursuant to 8 U.S.C. § 1226(a).” Dkt. No. 9 at 4. The Court agrees.

1 IV. CONCLUSION

2 Therefore, Petitioner’s petition (Dkt. No. 1) and ex parte motion (Dkt. No. 11) are 3 || GRANTED. It is hereby ORDERED: 4 (1) Respondents SHALL release Petitioner, un/ess they administer a bond hearing to 5 Petitioner under 8 U.S.C. § 1226(a), within seven (7) days of this Order; 6 (2) At the bond hearing, Respondents SHALL not conclude or argue that either 8 7 U.S.C. §§ 1226(c) or 1225(b)(2) governs Petitioner’s detention. Respondents 8 SHALL consider Petitioner to be detained under Section 1226(a). 9 (3) Any fee petition should be filed within the deadlines set by the Equal Access 10 to Justice Act, 28 U.S.C. § 2412. 1] 12 Dated this 8th day of December, 2025. ana Lin 14 United States District Judge 15 16 17 18 19 20 21 22 23 24 ORDER ON PETITION FOR WRIT OF HABEAS CorPUS — 5