

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MOISES DAVID BONILLA MEJIA,

Plaintiff,

v.

CAMMILLA WAMSLEY, et al,

Defendants.

CASE NO. 2:25-cv-02196

ORDER DIRECTING PARTIES TO
MEET AND CONFER AND
GRANTING TEMPORARY RELIEF
PENDING RESPONDENTS'
RESPONSE TO PETITIONER'S
MOTION FOR TEMPORARY
RESTRAINING ORDER

Petitioner Moises David Bonilla Mejia filed a petition for writ of habeas corpus seeking release from confinement. Dkt. No. 1. Mr. Bonilla also moves for a temporary restraining order (“TRO”) preventing his transfer or removal from the United States or this District while these proceedings are pending. Dkt. No. 2; *see also* Dkt. No. 2-2 at 1–2.

The motion for a TRO asserts that Mr. Bonilla and his family entered the United States on or about March 29, 2024, and were apprehended by U.S. Customs and Border Patrol (“CBP”). Dkt. No. 2 at 2. They were “released from ICE custody with a Notice to Appear in the Seattle Immigration Court on June 11, 2024” and “enrolled in the Intensive Supervision Appearance

1 Program (ISAP).” *Id.* The family submitted I-589 applications for asylum and related relief on
2 October 3, 2024. *Id.*

3 On June 16, 2025, the family apparently arrived “12 minutes late to the courtroom” for
4 their scheduled “individual, merits hearing on their applications for asylum, withholding of
5 removal, and relief under the Convention Against Torture, at the Seattle Immigration Court.” *Id.*
6 The door to the court was purportedly closed and the Immigration Judge “started the in absentia
7 hearing 16 minutes after the scheduled time and ordered the family removed.” *Id.* at 2–3. The
8 family “timely filed a motion to rescind and reopen, citing the exceptional circumstances that
9 caused their tardiness and arguing that their brief tardiness should not be considered a failure to
10 appear.” *Id.* at 3. The Immigration Judge denied the motion, and the family filed a timely appeal
11 that remains pending. *Id.*

12 On November 3, 2025, Bonilla “presented himself at the ISAP office at 14220 Interurban
13 Ave S, Tukwila, WA 98168 and was taken into ICE custody.” *Id.* “After being taken into custody,
14 Mr. Bonilla and his family filed a motion to stay removal that was received at the [Board of
15 Immigration Appeals (“BIA”)] on November 3, 2025.” *Id.* No decision has yet been made by the
16 BIA, “though counsel has informed the Board of the imminent risk of removal.” *Id.*

17 “On November 4, 2025, Mr. Bonilla’s immigration counsel learned from ICE that Mr.
18 Bonilla was detained at the NWIPC. In response to counsel’s inquiry about whether Mr. Bonilla’s
19 removal was imminent, a deportation officer responded that there are three flights that leave
20 regularly every week from the NWIPC, and that any legal work needed to be done as soon as
21 possible.” *Id.*; *see also* Dkt. No. 2-1 at 99–101. Counsel believes that Mr. Bonilla “remains detained
22 at the NWIPC in Tacoma, Washington.” Dkt. No. 2 at 3.

1 Mr. Bonilla has not yet served the petition on Respondents, and the petition and motion for
2 TRO were filed shortly after 5:00 p.m. on Tuesday, November 4, 2025. Respondents have not
3 entered an appearance nor responded to Mr. Bonilla's motion.

4 The Court may grant a TRO to preserve the Court's jurisdiction and to maintain the status
5 quo. *See A.A.R.P. v. Trump*, 605 U.S. 91, 97 (2025) (Federal courts have "the power to issue
6 injunctive relief to prevent irreparable harm to the applicants and to preserve [] jurisdiction over
7 the matter.").

8 Accordingly, the Court orders as follows:

- 9 1. Mr. Bonilla's motion for temporary restraining order, Dkt. No. 2, is provisionally
10 GRANTED pending Respondents' response to the motion. This grant is solely for the
11 purpose of maintaining the status quo so that the Court may review the merits of the
12 motion after full briefing.
- 13 2. Respondents ARE PROHIBITED from removing Mr. Bonilla from the United States
14 or this jurisdiction—i.e., the Western District of Washington—without further order.
- 15 3. Mr. Bonilla's counsel SHALL immediately serve process and a copy of this Order on
16 Respondents. Mr. Bonilla's counsel SHALL immediately contact Respondents'
17 counsel to provide a copy of this Order and to meet and confer on (1) a briefing
18 schedule for the motion for TRO and (2) whether the Government will agree to a
19 stipulated order to not remove Mr. Bonilla from the United States and to not transfer
20 Mr. Bonilla to another facility during the pendency of this action.
- 21 4. If the Parties can agree on a briefing schedule, they SHALL file a stipulated proposed
22 briefing schedule with the Court, along with any other stipulations the Parties may
23 agree on for the pendency of this case. If the Parties cannot reach agreement on a
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1 briefing schedule, then Respondents SHALL respond to the motion for TRO pursuant
2 to the schedule set by Local Civil Rule 65 once notice is accomplished.

- 3 5. The Parties SHALL contact the courtroom deputy of the assigned judge if they wish to
4 schedule oral argument on the motion for TRO.

5 Dated this 4th day of November, 2025.

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7 Lauren King
8 United States District Judge
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