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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

Portland Division

L-J-P-L-, an adult,

Petitioner,

v.

CAMMILLA WAMSLEY, Seattle Field Office Director, Immigration and Customs Enforcement and Removal Operations ("ICE/ERO"); TODD LYONS, Acting Director of Immigration Customs Enforcement ("ICE"); U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; KRISTI NOEM, Secretary of the Department of Homeland Security ("DHS"); U.S. DEPARTMENT OF HOMELAND SECURITY; and PAMELA BONDI, Attorney General of the United States,

Respondents.

Case No. 25-cv-01390-IM

Agency No. AXXX-XXX-629

JOINT STATEMENT ON VENUE

Pursuant to the Court's order, ECF 7, the parties submit this joint statement on venue. The parties agree that the District of Oregon is the correct venue.

The facts relevant to the threshold question of where this case should be heard are not in dispute. On August 7, 2025, in the morning, agents from the U.S. Department of Homeland Security (DHS) arrested L-J-P-L-. ECF 1 ¶ 42. On August 7, 2025 at 10:29 am, Petitioner's counsel filed the petition commencing this action in the U.S. District Court of Oregon. ECF 1. At the time the petition was filed, Petitioner was in Respondents' custody in Oregon. *Id.* ¶ 8. Petitioner remained in the District of Oregon until approximately 5:00 or 5:15 pm, when Respondents then transported him out of the District to Ridgefield, Washington. ECF 6.

For core habeas challenges—challenges to the legal authorization of the confinement, *Pinson v. Carvajal*, 69 F.4th 1059, 1069 (9th Cir. 2023)—the Petitioner L-J-P-L- is required to file his petition in the federal district where he is confined at the time of filing and to name as the respondent the custodian detaining him there. "Whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement." *Rumsfeld v. Padilla*, 542 U.S. 426, 447-48 (2004); *see also Doe v. Garland*, 109 F.4th 1188, 1198 (9th Cir. 2024) (same); *Khalil v. Joyce*, 771 F.Supp.3d 268, 279 (S.D.N.Y. 2025) (same). A petitioner's relocation after a properly filed habeas petition does not deprive a district court of jurisdiction. *Padilla*, 542 U.S. at 441. A straightforward application of the district of confinement and immediate custodian rules, as applied here, plainly indicate that the District of Oregon is the appropriate venue. The District of Oregon

is the one and only district in which L-J-P-L- could have filed his petition at the time this action commenced because he was confined in Oregon at that time.[1]

Respectfully submitted on August 11, 2025.

s/ *Tess Hellgren*
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[1] The rules governing habeas jurisdiction refer to personal jurisdiction and venue, not subject-matter jurisdiction. *Padilla*, 542 U.S. at 434 n.7 ("The word 'jurisdiction,' of course, is capable of different interpretations. We use it in the sense that is used in the habeas statute, 28 U.S.C. § 2241(a), and not in the sense of subject-matter jurisdiction of the District Court."). The rules "are not jurisdictional in the sense of a limitation on subject-matter jurisdiction" and instead implicate questions of "personal jurisdiction or venue." *Padilla*, 542 U.S. at 451 (Kennedy, J., concurring).