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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

M-J-M-A-,

Case No.: 6:25-cv-02011-MTK

Petitioner,

v.

**RESPONDENTS' RESPONSE TO
PETITIONER'S FIRST REQUEST
FOR PRODUCTION**

**LAURA HERMOSILLO;¹ TODD
LYONS; U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT;
KRISTI NOEM; U.S. DEPARTMENT
OF HOMELAND SECURITY;
PAMELA BONDI,**

Respondents.

¹ Laura Hermosillo should be substituted for Cammilla Wamsley as a party in this action. See Fed. R. Civ. P 25(d).

Pursuant to Federal Rule of Civil Procedure 34, Respondents, by and through Ariana N. Garousi, Assistant United States Attorney, serve the following responses and objections to Petitioner’s First Request for Production of Documents (“Request” or “Requests”).

GENERAL OBJECTIONS

- A. The immediate custodian of the habeas petitioner is the only proper respondent in this habeas proceeding. *See Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). Respondents object to each Request to the extent it seeks documents from any Respondent other than Laura Hermosillo and U.S. Immigration and Customs Enforcement (“ICE”). Respondents object to each Request to the extent it calls for information or documents or asserts for information or documents not within ICE’s possession, custody, or control at this time.
- B. Respondents object that Petitioner has made the necessary good cause showing to warrant discovery in resolving this petition for a writ of habeas corpus. *See Bracy v. Gramley*, 520 U.S. 899, 904 (1997); *Rich v. Calderon*, 187 F.3d 1064, 1068 (9th Cir. 1999); *Smith v. Mahoney*, 611 F.3d 978, 996 (9th Cir. 2010) (“Good cause exists ‘where specific allegations before the court show reason to believe that the petitioner may, if the facts are fully developed, be able to demonstrate that he is . . . entitled to relief’”); *see also Hawes v. Pacheco*, No. 17-cv-52-J, 2017 WL 11577917, at *3 (D. Wyo. Aug. 22, 2017) (finding good cause for discovery had not been shown where the court first needed to resolve

legal question that would be dispositive in deciding to conduct discovery). By answering these requests, Respondents in no way waive or intend to waive their ability to formally object to the Court's order granting discovery.

- C. Respondents object to each Request to the extent that it seeks information protected by the attorney-client privilege, the work-product doctrine, the deliberative process privilege, the Privacy Act (5 U.S.C. § 552(a)), the law enforcement privilege, the marital communications privilege, the safety privilege, trial preparation materials or other material protected under Rule 26(b) of the Federal Rules of Civil Procedure, or any other applicable privilege or immunity. Respondents reserve the right to withhold any such protected information or documents. Inadvertent production of such protected information is not intended to be and shall not operate as a waiver of the applicable privilege or immunity.
- D. Respondents object to each Request to the extent it attempts or purports to impose requirements or obligations on Respondents beyond those imposed by the Federal Rules of Civil Procedure.
- E. By answering these Requests, Respondents do not in any way waive or intend to waive, but instead intend to preserve, all objections as to the competency, relevancy, materiality, and admissibility of the responses or the subject matter thereof.
- F. All responses to requests are based on Respondents' best understanding of the requests and/or the terms used therein. Such responses cannot properly be

used as evidence except in the context in which Respondents understood the requests and/or the terms used therein.

- G. Respondents reserve the right to supplement or amend these responses based upon the discovery of additional information.
- H. Respondents reserve the right to withhold production of documents containing confidential or proprietary information until the Court issues a protective order.

Each of these general objections is hereby specifically incorporated into each of the specific responses set forth below.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1: All documents relied on by Respondent or pertaining to Petitioner, that led to her stop and arrest on Thursday, October 30, 2025, including but not limited to any manifest, muster, or daily agenda issued by Respondent for the October 30, 2025, action by DHS.

RESPONSE: Respondents object to this Request as overly broad, unduly burdensome, and not proportional to the needs of the case. Respondents further object to this Request to the extent it seeks information not relevant to any party's claims or defenses and to the extent it seeks privileged information or information that is otherwise protected from disclosure. Respondents further object to this Request as vague and ambiguous, particularly as to the terms "relied on by Respondent . . . that led to her stop and arrest." Based on Respondents' understanding of the Request,

there are no documents that mention Petitioner that led Respondents to stop and arrest her on October 30, 2025.

REQUEST FOR PRODUCTION NO. 2: All documents involved in the detention and processing of Petitioner in the course of her detention on and since October 30, 2025, including but not limited to:

- Any Form I-213 determination;
- Any I-200 Warrant for Arrest;
- Any documents Petitioner signed, was requested to sign, or were presented to her;
- Any transfer determination made;
- Any Notice to Appear issued;
- Any further booking records and/or processing documents.

RESPONSE: Respondents object to this Request as vague and ambiguous, particularly as to the terms “transfer determination made” and “further booking records and/or processing documents.” Additionally, Request No. 2 is duplicative of Request No. 3 because Request No. 2 seeks documents contained in Petitioner’s A-file. Petitioner’s Form I-213; Form I-200; documents Petitioner signed, was requested to sign, or were presented to her; and Petitioner’s booking records and processing documents will be produced as a part of her A-file. In regard to Petitioner’s request for documents relating to “any transfer determination made,” no transfer determination was made because the Portland ICE facility is not a detention facility. Additionally, as Respondents have previously indicated, no NTA was issued or generated.

REQUEST FOR PRODUCTION NO. 3: Petitioner's complete A-file.

RESPONSE: Respondents object to this Request to the extent it seeks information that is law enforcement sensitive otherwise protected from disclosure. Subject to the above objections, ICE will produce Petitioner's A-file.

Respectfully submitted this 15th day of November, 2025.

SCOTT E. BRADFORD
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District of Oregon

/s/ Ariana N. Garousi
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