

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

THE HONORABLE ROBERT J. BRYAN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANDRES RAMIREZ-MARTINEZ, MANUEL
URIOSTEGUI, and ERICSON GONZALES,

Plaintiffs,

vs.

UNITED STATES IMMIGRATION AND
CUSTOMS ENFORCEMENT; THOMAS S.
WINKOWSKI, Principal Deputy Assistant
Secretary of the U.S. Immigration and
Customs Enforcement; UNITED STATES
DEPARTMENT OF HOMELAND SECURITY;
JEH JOHNSON, Secretary of Homeland
Security; NATHALIE R. ASHER, Director of the
Seattle Field Office of U.S. Immigration and
Customs Enforcement,

Defendants.

NO. C14-5273RJB

NOTICE OF VOLUNTARY
DISMISSAL PURSUANT TO
FED. R. CIV. P. 41(a)(1)(A)(i)

Plaintiffs hereby provide notice to the Court and to Defendants of their voluntary dismissal of this action pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

Over the last several months, Plaintiffs and other immigrant detainees at the Northwest Detention Center (NWDC) in Tacoma, Washington, engaged in hunger strikes to protest United States' immigration policies and poor conditions at the NWDC.

1 When these strikes brought national and international attention to Defendants'
2 policies and practices, Defendants retaliated against hunger strikers living in the F-3 unit
3 of the NWDC and locked them in solitary confinement. Defendants' retaliation violated
4 the hunger strikers' rights to Free Speech guaranteed them by the First Amendment of
5 the United States Constitution.

6 Plaintiffs filed this action seeking their release from solitary confinement on April
7 2, 2014 after Defendants rejected repeated requests to release Plaintiffs and other
8 hunger strikers from solitary confinement. Immediately after Plaintiffs filed this lawsuit
9 and set a hearing on their Motion for a Temporary Restraining Order, Defendants
10 released Plaintiffs and the other hunger strikers from solitary confinement and reinstated
11 the privileges the hunger strikers enjoyed before being retaliated against by Defendants.
12

13 Plaintiffs succeeded in their objectives when ICE released Plaintiffs and other
14 hunger striking detainees from solitary confinement soon after the initiation of this action.
15 Because Plaintiffs have achieved their goal and detainees at the NWDC currently do not
16 plan to engage in further hunger strikes, Plaintiffs now voluntarily dismiss this suit.
17 However, they reserve the right to again seek redress through the courts should
18 Defendants once again threaten the Free Speech rights of the individuals detained at the
19 NWDC.
20

21 Dismissal without prejudice and without costs or attorneys' fees is mandatory, as
22 Defendants have not yet answered Plaintiffs' complaint or filed a motion for summary
23 judgment. Fed. R. Civ. P. 41(a)(1)(A)(i). The Clerk of the Court is asked to enter this
24 dismissal in the records of the Court.
25
26

1 Dated this ____ day of May, 2014.

2 GORDON THOMAS HONEYWELL LLP

3
4 By:/s/ Salvador A. Mungia
5 Salvador A. Mungia, WSBA No. 14807
6 smungia@gth-law.com
7 1201 Pacific Avenue, Suite 2100
8 Tacoma, WA 98402
9 (253) 620-6500

10 Cooperating Attorney for the
11 ACLU of Washington Foundation

12 ACLU OF WASHINGTON FOUNDATION

COLUMBIA LEGAL SERVICES

13 By:/s/ Sarah A. Dunne
14 Sarah A. Dunne, WSBA No. 34869
15 dunne@aclu-wa.org
16 La Rond Baker, WSBA No. 43610
17 lbaker@aclu-wa.org
18 Margaret Chen, WSBA No. 46156
19 mchen@aclu-wa.org
20 901 Fifth Avenue, Suite 630
21 Seattle, WA 98164
22 (206) 624-2184

By:/s/ Melissa R. Lee
Melissa R. Lee, WSBA No. 38808
melissa.lee@columbialegal.org
Nicholas B. Straley, WSBA No. 25963
nick.straley@columbialegal.org
Andrea Schmitt, WSBA No. 39759
andrea.schmitt@columbialegal.org
101 Yesler Way, Suite 300
Seattle, WA 98104
(206) 464-0838

23 Attorneys for Plaintiffs

Attorneys for Plaintiffs