

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

IN THE MATTER OF:

NO. 3:18-mc-05016-BHS

EMERGENCY EX PARTE MOTION
TO PROVIDE INVOLUNTARY
MEDICAL TREATMENT

File No. [REDACTED]

The United States Department of Homeland Security, Immigration and Customs Enforcement (hereafter "ICE"), by and through the United States Attorney for the Western District of Washington, has filed an ex parte motion for an order permitting ICE to immediately provide involuntary hydration and medical treatment for [REDACTED] who is currently being held as a civil detainee at the Northwest Detention Center in Tacoma, Washington.

Based on the declarations of Dr. Shei Malakhova and Supervisory Detention and Deportation Officer Tim Petrie, the Court finds that there is sufficient cause to believe that without the requested medical testing and treatment, [REDACTED] is in danger of irreparable injury, and possible death.

Therefore, IT IS HEREBY ORDERED that ICE may undertake necessary medical treatment and testing to save [REDACTED]'s life and prevent injury to him, including:

1. involuntary hydration through administering intravenous (IV) fluids;
2. physical examination with daily weight assessments and frequent vital sign checks;

1 3. laboratory tests at least every 48 – 72 hours consisting of:

2 a. Complete metabolic panel. This test reveals an increase in markers of kidney
3 function in view of any renal injury. The panel tests include: BUN (blood urea nitrogen), creatinine
4 level, urinalysis and proteins. It also reveals electrolyte disturbances as potassium, phosphate,
5 magnesium and glucose levels can lead to heart arrhythmias.

6 b. Complete blood count. This test reveals the hemoglobin level.

7 c. Urinalysis, which reveals the presence of ketones, blood and crystals in the
8 urine.

9 d. Magnesium and phosphate levels to assess deficiency after day 13 of a hunger
10 strike.

11 e. Electrocardiogram, if the patient shows elevated potassium, is necessary to
12 treat conditions which can lead to lethal arrhythmias.

13 f. Creatine kinase (CK) levels determine whether CK levels increase. CK is an
14 enzyme found inside muscle cells and should be measured as it is released into the blood, when the
15 muscle cells rupture. The increase in CK as a result of the destruction of muscle tissue can lead to
16 acute renal failure and death.

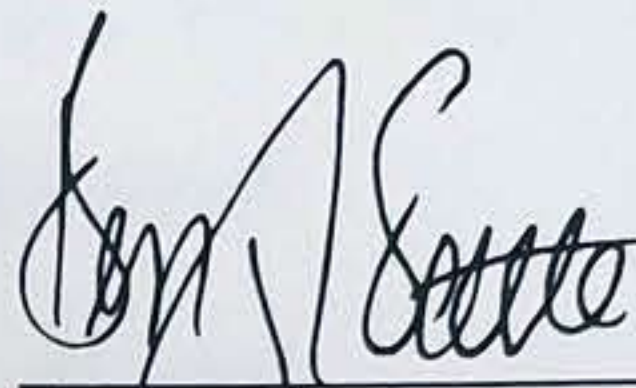
17 g. Pre-albumin levels. Pre-albumin is used as a marker for nutritional status
18 evaluation, and levels will decrease over time the longer a patient fails to consume adequate
19 nutrition. The pre-albumin level correlates with patient morbidity and mortality risk. Normal pre-
20 albumin is 15-35 mg/dL. When pre-albumin falls to 5-11mg/dL, significant morbidity risks exist
21 and aggressive nutritional support is necessary.

22 IT IS HEREBY FURTHER ORDERED that if [REDACTED] continues to refuse the necessary
23 medical treatment and monitoring, ICE and medical staff at the Northwest Detention Center may use
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1 soft medical restraints to assure the safety of [REDACTED] and the medical staff when administering the
2 necessary treatment.

3 ICE is directed to provide a copy of this order to Mr. [REDACTED] forthwith.

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5 Dated this 6th day of September, 2018.
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BENJAMIN H. SETTLE
United States District Judge

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13 Presented by:

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