

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
27

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WASHINGTON

SERAFIN RANGEL-SEMBRANO,
Plaintiff,

v.

ADAMS COUNTY SHERIFF'S
OFFICE, ADAMS COUNTY, EVAN
ARMSTRONG, Corporal, Adams
County Sheriff's Office, in his
individual capacity; DALE
WAGNER, Sheriff, Adams County
Sheriff's Office, in his individual and
official capacity,
Defendants.

No. 2:25-CV-3

DEFENDANTS' ANSWER TO
COMPLAINT AND
AFFIRMATIVE DEFENSES

JURY DEMAND

Defendant, ADAMS COUNTY SHERIFF'S OFFICE, ADAMS
COUNTY, EVAN ARMSTRONG, DALE WAGNER, in answer to SERAFIN
RENGEL-SEMBRANO'S complaint, admits, denies and alleges as follows:

I. INTRODUCTION

1. This paragraph contains multiple factual and legal assertions, and
is therefore denied.

2. This paragraph contains multiple factual and legal assertions, and
is therefore denied.

3. This paragraph contains multiple factual and legal assertions, and
is therefore denied.

II. JURISDICTION AND VENUE

- 4. Defendants admit this Court has jurisdiction.
- 5. Defendants admit venue is proper.
- 6. Defendants admit this Court is empowered to hear the claims, but deny Plaintiff can establish any right to the relief requested.

III. PARTIES

7. Defendants deny for lack of knowledge the allegations contained in paragraph 7 of Plaintiff’s Complaint.

8. Defendants deny that Adams County Sheriff’s Office is a legal entity amenable to suit. The Sheriff’s Office is an agency of the County, and only the County is a proper party.

9. Defendants admit the County is responsible for the Adams County Sheriff’s Department, as well as the Adams County Jail.

10. Defendants admit Mr. Armstrong was a Corporal assigned to the Adams County Jail. Defendants deny Corporal Armstong was a legal custodian of Plaintiff at all times relevant.

11. Defendants admit Sheriff Wagner is the Sheriff, but deny any basis for him to be sued in his individual capacity. Defendants further deny that Sheriff Wagner is liable to Plaintiff in any way, either individually or in his official capacity. Defendants further deny that Plaintiffs have properly alleged an "official capacity" claim against any governmental entity.

IV. STATEMENT OF FACTS

Mr. Rangel’s Arrest and Booking

12. Defendants admit the allegations contained in paragraph 12 of Plaintiff’s Complaint.

13. Defendants admit the allegations contained in paragraph 13 of Plaintiff’s Complaint.

14. Defendants admit the allegations contained in paragraph 14 of

1 Plaintiff's Complaint.

2 15. Defendants admit Plaintiff was detained, interviewed, and
3 eventually arrested.

4 16. Defendants deny the allegations contained in paragraph 16 of
5 Plaintiff's Complaint.

6 17. Defendants admit the allegations contained in paragraph 17 of
7 Plaintiff's Complaint.

8 18. Defendants admit the allegations contained in paragraph 18 of
9 Plaintiff's Complaint.

10 19. Defendants admit the allegations contained in paragraph 19 of
11 Plaintiff's Complaint.

12 20. Defendants admit the allegations contained in paragraph 20 of
13 Plaintiff's Complaint.

14 21. Defendants deny for lack of knowledge the allegations contained
15 in paragraph 21 of Plaintiff's Complaint.

16 22. Defendants deny for lack of knowledge the allegations contained
17 in paragraph 22 of Plaintiff's Complaint.

18 23. Defendants deny for lack of knowledge the allegations contained
19 in paragraph 23 of Plaintiff's Complaint.

20 24. This paragraph contains a legal conclusion, and is therefore denied.

21 25. Defendants admit the allegations contained in paragraph 25 of
22 Plaintiff's Complaint.

23
24 **Adams County Prosecutors and the District Court Clear Mr. Rangel for
Release**

25 26. Defendants deny the allegations contained in paragraph 26 of
26 Plaintiff's Complaint.

27 27. Defendants admit the prosecutor issued a release letter.

1 28. Defendants admit the prosecutor declined to file charges.

2 29. Defendants admit the allegations contained in paragraph 29 of
3 Plaintiff's Complaint..

4 30. Defendants admit that the Franklin County jail received the order.

5
6 **Corporal Armstrong Transports Mr. Rangel to U.S. Border Patrol
Custody**

7 31. It is unclear which "Sheriffs' Office" is referred to here, or which
8 office is alleged to have authority to release a detainee from custody of the
9 Franklin County Jail.

10 32. Defendants admit that Corporal Armstrong, an Adams County
11 employee, notified Franklin County that he would be retrieving an Adams
12 County detainee for transport back to Adams County.

13 33. To the extent this paragraph alleges the law requires Franklin
14 County to immediately release an Adams County detainee into Franklin County,
15 defendants deny that allegation.

16 34. Defendants admit that Plaintiff was cleared for release, and was
17 then transported back to Adams County, the County in which he was arrested,
18 and the County in which he resided.

19 35. Defendants deny the allegations contained in paragraph 35 of
20 Plaintiff's Complaint.

21 36. Defendants deny the allegations contained in paragraph 36 of
22 Plaintiff's Complaint.

23 37. Defendants admit that Corporal Armstrong took custody of
24 Plaintiff and transported him back to Adams County, where he had been arrested
25 and where he resided.

26 38. Defendants admit that Corporal Armstrong took custody of
27 Plaintiff and transported him back to Adams County, where he had been arrested

1 and where he resided.

2 39. Defendants deny the allegations contained in paragraph 39 of
3 Plaintiff's Complaint.

4 40. Defendants deny the allegations contained in paragraph 40 of
5 Plaintiff's Complaint.

6 41. Defendants deny for lack of knowledge the allegations contained
7 in paragraph 41 of Plaintiff's Complaint.

8
9 **Adams County Sheriff's Office Immigration Hold Policy and Washington's
Keep Washington Working Law**

10 42. This paragraph contains legal conclusions and therefore the
11 Defendants deny the allegations contained in paragraph 42 of Plaintiff's
12 Complaint.

13 43. This paragraph contains legal conclusions and therefore the
14 Defendants deny the allegations contained in paragraph 43 of Plaintiff's
15 Complaint.

16 44. The law cited by this paragraph speaks for itself, and this paragraph
17 does not require a response from Defendants.

18 45. The law cited by this paragraph speaks for itself, and this paragraph
19 does not require a response from Defendants.

20 46. The law cited by this paragraph speaks for itself, and this paragraph
21 does not require a response from Defendants.

22 47. Defendants deny the allegations contained in paragraph 47 of
23 Plaintiff's Complaint.

24 48. Defendants deny the allegations contained in paragraph 48 of
25 Plaintiff's Complaint.

26 49. Defendants deny the allegations contained in paragraph 49 of
27 Plaintiff's Complaint.

1 50. Defendants admit the allegations contained in paragraph 50 of
2 Plaintiff's Complaint.

3 51. Defendants admit the allegations contained in paragraph 51 of
4 Plaintiff's Complaint.

5 52. Defendants deny the allegations contained in paragraph 52 of
6 Plaintiff's Complaint.

7 53. Defendants deny that the applicable policy contains the word
8 "shall." Moreover, the policy manual speaks for itself.

9 54. Defendants admit the allegations contained in paragraph 54 of
10 Plaintiff's Complaint.

11 55. Defendants deny the allegations contained in paragraph 55 of
12 Plaintiff's Complaint.

13 56. Defendants deny the allegations contained in paragraph 56 of
14 Plaintiff's Complaint.

15 57. Defendants deny the allegations contained in paragraph 57 of
16 Plaintiff's Complaint.

17 58. Defendants deny the allegations contained in paragraph 58 of
18 Plaintiff's Complaint.

19 59. Defendants admit that activist organizations and others have
20 repeatedly threatened baseless litigation in an effort to obtain and exercise
21 control over Adams County police and correctional practices.

22 60. Defendants admit that they did not comply with the legally baseless
23 demands of outside entities with regard to police and correctional practices.

24 61. Defendants deny the allegations contained in paragraph 61 of
25 Plaintiff's Complaint.

26 62. Defendants admit the allegations contained in paragraph 62 of
27 Plaintiff's Complaint.

1 63. Defendants admit the allegations contained in paragraph 63 of
2 Plaintiff's Complaint.

3 **V. CAUSES OF ACTION**

4 **COUNT I**

5 **Detention in Violation of Civil Rights – 42 U.S.C. § 1983**
6 **(Against Defendants Adams County Sheriff's Office**
7 **and Adams County)**

8 64. See above.

9 65. This paragraph does not require a response from Defendants.

10 66. Defendants deny that the Sheriff's office is an independent entity
11 amenable to suit.

12 67. Defendants admit the allegations contained in paragraph 67 of
13 Plaintiff's Complaint..
14

15 68. Defendants admit they acted under color of state and federal law.

16 69. Defendants deny the allegations contained in paragraph 69 of
17 Plaintiff's Complaint.
18

19 70. Defendants deny the allegations contained in paragraph 70 of
20 Plaintiff's Complaint.
21

22 71. Defendants deny the allegations contained in paragraph 71 of
23 Plaintiff's Complaint.
24

25 72. Defendants deny the allegations contained in paragraph 72 of
26 Plaintiff's Complaint.
27

1 73. This paragraph contains legal conclusions and therefore
2 Defendants deny the allegations contained in paragraph 73 of Plaintiff's
3 Complaint.

4
5 74. Defendants deny the allegations contained in paragraph 74 of
6 Plaintiff's Complaint.

7
8 75. Defendants deny the allegations contained in paragraph 75 of
9 Plaintiff's Complaint.

10 76. Defendants deny the allegations contained in paragraph 76 of
11 Plaintiff's Complaint.

12
13 77. Defendants deny the allegations contained in paragraph 77 of
14 Plaintiff's Complaint.

15 78. Defendants deny the allegations contained in paragraph 78 of
16 Plaintiff's Complaint.

17
18 **COUNT II**

19 **Detention in Violation of Civil Rights – 42 U.S.C. § 1983**
20 **(Against Defendant Evan Armstrong)**

21 79. See above.

22
23 80. Defendants deny the allegations contained in paragraph 80 of
24 Plaintiff's Complaint.

25 81. Defendants deny that Corporal Armstrong relied on any holds from
26 any federal authorities.
27

1 82. Defendants deny the allegations contained in paragraph 82 of
2 Plaintiff's Complaint.

3 83. Defendants deny the allegations contained in paragraph 83 of
4 Plaintiff's Complaint.
5

6 84. Defendants deny the allegations contained in paragraph 84 of
7 Plaintiff's Complaint.
8

9 85. Defendants deny the allegations contained in paragraph 85 of
10 Plaintiff's Complaint.
11

12 **COUNT III**

13 **Failure to Train and/or Supervise – 42 U.S.C. § 1983**
14 **(Against Defendants Adams County Sheriff's Office,**
15 **Adams County and Dale Wagner)**

16 86. See above.

17 87. Defendants deny the allegations contained in paragraph 87 of
18 Plaintiff's Complaint.

19 88. Defendants deny the allegations contained in paragraph 88 of
20 Plaintiff's Complaint.
21

22 89. See response to identical allegation above.

23 90. Defendants deny the allegations contained in paragraph 90 of
24 Plaintiff's Complaint.
25

26 91. Defendants deny the allegations contained in paragraph 91 of
27 Plaintiff's Complaint.

1 92. Defendants deny the allegations contained in paragraph 92 of
2 Plaintiff's Complaint.

3 93. Defendants deny the allegations contained in paragraph 93 of
4 Plaintiff's Complaint.
5

6 94. Defendants deny the allegations contained in paragraph 94 of
7 Plaintiff's Complaint.
8

9 **COUNT IV**

10 **False Arrest – Washington Tort Law**
11 **(Against Defendants Adams County Sheriff's Office,**
12 **Adams County and Evan Armstrong)**

13 95. See above.

14 96. Defendants admit the allegations contained in paragraph 96 of
15 Plaintiff's Complaint.
16

17 97. Defendants admit the allegations contained in paragraph 97 of
18 Plaintiff's Complaint.

19 98. This paragraph is a legal conclusion and does not require a
20 response from Defendants.
21

22 99. Defendants deny the allegations contained in paragraph 99 of
23 Plaintiff's Complaint.
24

25 100. Defendants deny that Plaintiff was held pursuant to such a request.

26 101. Defendants deny the allegations contained in paragraph 101 of
27 Plaintiff's Complaint.

1 102. Defendants deny the allegations contained in paragraph 102 of
2 Plaintiff's Complaint.

3 103. Defendants deny the allegations contained in paragraph 103 of
4 Plaintiff's Complaint.
5

6 **COUNT V**

7 **Discrimination Based on Immigration Status – RCW 49.60.030**
8 **(Against All Defendants)**

9 104. See above.

10 105. Defendants admit the allegations contained in paragraph 105 of
11 Plaintiff's Complaint.
12

13 106. This paragraph does not require a response from Defendants.

14 107. Defendants deny the allegations contained in paragraph 107 of
15 Plaintiff's Complaint.
16

17 108. Defendants deny the allegations contained in paragraph 108 of
18 Plaintiff's Complaint.
19

20 109. Defendants admit the allegations contained in paragraph 109 of
21 Plaintiff's Complaint.
22

23 110. Defendants admit the allegations contained in paragraph 110 of
24 Plaintiff's Complaint.

25 111. Defendants deny the allegations contained in paragraph 111 of
26 Plaintiff's Complaint.
27

VI. PRAYER FOR RELIEF

Defendants deny that Plaintiff is entitled to any relief as a result of any allegations included in the complaint.

BY WAY OF FURTHER ANSWER and AFFIRMATIVE DEFENSE, Defendants state and allege as follows:

1. **FAILURE TO STATE A CLAIM:** That the Plaintiff has failed to state a claim upon which relief may be granted.
2. **LAWFUL ARREST:** That the arrest of the Plaintiff was lawful.
3. **QUALIFIED IMMUNITY:** Defendants contend that Plaintiff's claims are precluded by the doctrine of qualified immunity.

PRAYER FOR RELIEF

WHEREFORE, Defendants ADAMS COUNTY SHERIFF'S OFFICE, ADAMS COUNTY, EVAN ARMSTRONG, and DALE WAGNER, pray for the following relief:

1. That Plaintiff's complaint be dismissed with prejudice, and that Plaintiff take nothing by his complaint;
2. That Defendants be allowed their statutory costs and reasonable attorney fees incurred herein; and
3. For such additional relief the Court may deem just and equitable.

JURY TRIAL DEMANDED

The Defendants respectfully demand their right to a trial by jury in this matter.

DATED this 3rd day of March, 2025.

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
27

KEATING, BUCKLIN & McCORMACK,
INC., P.S.

By: /s/ Jeremy W. Culumber
Jeremy W. Culumber, WSBA #35423
Attorney for Defendants

1201 Third Avenue, Suite 1580
Seattle, WA 98101
Phone: (206) 623-8861
Fax: (206) 223-9423
Email: jculumber@kbmlawyers.com

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
27

CERTIFICATE OF SERVICE

I hereby certify that on March 3, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Attorneys for Plaintiff

Matt Adams, WSBA #28287
Glenda Aldana Madrid, WSBA #46987
Leila Kang, WSBA #48048
Aaron Korthuis, WSBA #53974
NORTHWEST IMMIGRANT RIGHTS PROJECT
615 Second Ave., Ste. 400
Seattle, WA 98104
Phone: 206.957.8611
Email: matt@nwirp.org
glenda@nwirp.org
leila@nwirp.org
aaron@nwirp.org

and I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

N/A

DATED: March 3, 2025

/s/ Jeremy W. Culumber
Jeremy W. Culumber, WSBA #35423
Email: jculumber@kbmlawyers.com