

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

WILMER GARCIA RAMIREZ, et al.,	)	
	)	Case No. 1:18-cv-00508-RC
Plaintiffs,	)	
	)	
v.	)	
	)	
U.S. IMMIGRATION AND	)	
CUSTOMS ENFORCEMENT (ICE), et al.,	)	
	)	
Defendants.	)	
	)	

Declaration of Suchita Mathur

I, Suchita Mathur, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am over 18 years old and competent to make this declaration.
2. This declaration is based on my personal knowledge and my review of government records produced in the above-captioned case.

3. I am a Senior Litigation Attorney at the American Immigration Council (Council). The Council, along with the National Immigrant Justice Center (NIJC) and Professor Kate Melloy Goettel, University of Iowa College of Law, represents the Plaintiff class. Following the Court's June 2, 2026 memorandum and order granting in part and denying in part Plaintiffs' motion to clarify and enforce, Plaintiffs' counsel began our efforts to ensure that Defendants promptly complied with that order.

Efforts to Ensure Compliance Regarding Class Members Identified in Plaintiffs' Motion to Enforce

4. On the evening of June 2, 2026, shortly after the Court issued its Order, I emailed Defendants' counsel with the full names and alien registration numbers for all 15 of the class

members the Court ordered released. According to Defendants' counsel, of the 15 class members, ICE had already repatriated four pursuant to voluntary departure or "Incentivized Voluntary Departure," removed eight, and released one after they adjusted status. Despite repeated inquiries from Plaintiffs' counsel, Defendants did not confirm the release of E.J.C.M. and Y.G.G.L.—the only two class members who remained in government custody—until the evening of June 8. ICE reported that E.J.C.M. was released on ATD but had a scheduled check-in on June 9 at which his ATD was removed. ICE removed E.J.C.M.'s ATD conditions in response to Plaintiffs' counsel's advocacy that the Court order prohibited ATD for these class members because those conditions were not attached to their initial release determination.

5. On June 4, I made a separate request that Defendants provide the documentation relied on by Defendants to justify the re-detention of five detained class members (H.M.A., Y.Z.P., W.V.M., M.M.B., and D.A.M.Y.), as required by the Court's order. I made this narrow request based on a review of the ICE detainee locator which indicated that only these five people remain in custody of the additional 26 young people raised in Plaintiffs' motions but not ordered released. I requested those documents by 2 pm ET on Friday, June 5, so that Plaintiffs' counsel could ascertain Defendants' compliance in these specific cases, as required by the Court's order.

6. On the evening of Monday, June 8, Defendants reported that ICE would produce the records for these five people by Friday, June 12—ten days after the Court's order and over a week after Plaintiffs requested those records.

7. Later on June 8, I notified Defendants that it was unacceptable to delay production regarding the five detained young people until Friday. I explained that given that 1) the Court specifically listed 26 people in its decision, including the five Plaintiffs have identified, as lacking in sufficient information regarding changed circumstances; 2) the Court's order was issued over a

week ago; and 3) Plaintiffs' counsel further narrowed their immediate request for information to only five individuals and made that request last week, Plaintiffs intended to file a motion to enforce requesting the Court order production of the requested information, or in the alternative, their release, by Wednesday. I stated that in the alternative, production of the requested information, or release of the five individuals, by close of business on Wednesday, would be acceptable. Shortly after noon on June 9, ICE reported that it would provide the requested records for the five detained young people by noon on Wednesday, June 10.

8. Around 5 pm on June 10, ICE produced records regarding those five people. The records consisted of EARM and I-213s for each individual and, in the case of Y.Z.P., an ICE detainer. On June 12, Defendants' counsel confirmed that one of the five, W.V.M., had actually been removed by ICE, as indicated in the records Defendants produced, even though he has pending removal proceedings in Immigration Court. On June 13, I asked for clarification on how ICE removed a noncitizen with a pending immigration case, who does not appear to have a final removal order, but have not received any further response from Defendants.

9. On June 11, after Plaintiffs' counsel reviewed the produced records, communicated with both H.M.A. and Y.Z.P. and counsel for Y.Z.P., and reviewed additional documents in Y.Z.P.'s criminal and immigration cases, I reached out to Defendants to request that they release H.M.A. and Y.Z.P. With respect to H.M.A., I noted that while ICE justified his re-detention based on his failure to attend on ICE check-in on October 14, 2024, H.M.A. had in fact attended four check-ins before this one missed appointment and was arrested when he reported, as required, to his immigration court hearing on December 4, 2025. With respect to Y.Z.P., I noted that while ICE justified his re-detention based on his arrest for "collision involving damage to vehicle," the criminal records showed that he was charged for rear-ending a car and causing minor damage, for

which he pled guilty to a class B misdemeanor. I further noted that Y.Z.P. reported that he only departed the scene of the minor accident after stopping and seeing that the other driver drove off and did not return. The ICE records showed that this was his only criminal history. Further, I explained that Y.Z.P. has had Special Immigrant Juvenile Status since 2024 and was granted deferred action.

10. On the evening of June 15, Defendants reported that ICE would not release either H.M.A. or Y.Z.P. ICE provided this explanation:

ICE considers HMA to be a flight risk. The conditions of HMA's release on OREC required that he (1) report for any hearing or interview as directed by ICE or EOIR and (2) assist ICE in obtaining any necessary travel documents. However, ICE informs us that it repeatedly asked HMA, on February 6 and 20, 2024; March 5, 2024; June 5, 2024; and July 10, 2024, to return to his next check-in with his passport, but he failed to do so. ICE considers HMA's failure to adhere to ERO's instructions that he obtain and provide his passport, a document required for removal, to be indicia that HMA will not comply with a removal order. Additionally, on July 10, 2024, ERO advised HMA that his next check-in date with ERO was on October 14, 2024, but HMA failed to appear for that check-in and did not present himself to ERO for a check-in at any point thereafter. ICE therefore considers HMA a flight risk because, in addition to failing to comply with ERO's multiple requests that he obtain and produce a passport, he failed to report to ERO when required to do so.

ICE considers YZP to be a flight risk and danger to the community. The conditions of YZP's release on OREC required that he (1) report for any hearing or interview as directed by ICE or EOIR; (2) not violate any local, state, or federal laws or ordinances; and (3) not commit any crimes. ICE reports that, although YZP was initially compliant with his check-in requirements, he failed to check in, as required, on his scheduled June 27, 2025 check-in date, or at any point thereafter. ICE then re-arrested YZP after his conviction in Texas for knowingly leaving the scene of an accident that resulted in damage to another vehicle. ICE notes that YZP was driving the car that was involved in the accident and, by leaving the scene, YZP demonstrated a disregard for the law, as well as for another person's property and safety.

11. Defendants did not produce a copy of H.M.A.'s Order of Release on Recognizance, either in its June 10, 2026 production, or with its initial production of H.M.A.'s Age-Out Release

Worksheet in December 2023.

Efforts to Ensure Compliance Regarding Additional Class Members

12. In addition to working to ensure that Defendants complied with the Court's order regarding the 41 individuals identified in Plaintiffs' motion to enforce, Plaintiffs' counsel has worked to ensure that ICE meets its obligations regarding the remaining age-outs re-detained between December 2025 to the present. Following a meet and confer on June 10, the parties have continued to negotiate rolling productions of documents, prioritizing the documents for those already detained. In addition, the parties are negotiating the production of documents for those re-detained age-outs going forward.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on June 17, 2026 at Washington, D.C.



Suchita Mathur