

**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.	)	
	)	

Redacted

Supplemental 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.
4. Through those efforts, we have identified and continue to identify former age-outs whose re-detention Defendants have not justified based on materially changed circumstances, in addition to class members whom ICE has re-detained without cause for prolonged periods of time

before releasing them. Many of the impacted class members have already been removed, either pursuant to removal orders or “voluntary” departure. As such, Plaintiffs do not intend to seek enforcement of the Court’s orders as to many of these individuals, but nonetheless believe ICE’s failure to adequately justify their re-arrest and detention violates the permanent injunction and orders in this case.

5. On the 20th of each month, Defendants provide Plaintiffs’ counsel with a spreadsheet listing the former age-outs whom ICE re-arrested and detained in the prior month. These monthly spreadsheets list the alleged changed circumstances for the age-outs ICE determines should remain in detention; for the individuals ICE deems to be class members because it does not believe their re-detention was justified, ICE provides the date of release from detention.

Monthly Rearrest Reports

6. Starting in June 2026, pursuant to the Court’s June 2, 2026 Order, Defendants began contemporaneously producing, along with the monthly spreadsheets, the records ICE relied on to justify the re-detention of former age-outs. On June 26, after reviewing the records Defendants’ produced on June 25,¹ *see* Ex. A (contemporaneously filed under seal), Plaintiffs’ counsel sent an email to Defendants’ counsel, identifying three class members on the spreadsheet for whom ICE had not established materially changed circumstances and explaining the reason why the records produced and allegations did not sufficiently justify re-detention.

7. Those three class members were: G.J.L. (re-arrested on May 7, 2026), R.I.O.J.F. (re-arrested on May 13, 2026), and S.E.R.R. (re-arrested on May 5, 2026). *See* Ex. A. We requested that ICE release those three class members by July 2. On July 2, Defendants’ counsel

¹ While Defendants usually provide the spreadsheets on the 20th of each month, Defendants’ counsel notified us that in order to account for the Court’s June 2 order, they required an additional five days to produce the spreadsheet

informed us via e-mail that ICE had released all three. All three of them were detained over six weeks before being set free.

8. Additionally, one of the three class members ICE identified as wrongfully re-detained in the June 2026 spreadsheet, U.N.D.L.G., was detained for 46 days before ICE sua sponte released him on June 18, 2026. In explaining the delay, Defendants' counsel later provided this statement to Plaintiffs' counsel: "When [U.N.D.L.G.] was arrested on May 11, prior to the Court's order that Defendants 'must, upon an age-out's rearrest,' promptly confirm class membership and release within 5 days, ICE made an initial custody re-determination and decided to detain him. On June 18, when compiling the re-arrest report produced June 25, ICE determined he should be released and was able to effectuate his release on the same day."

9. At least one other individual from the June spreadsheet presented questionable allegations of changed circumstances. The spreadsheet entry for M.R.C.C. claims that re-detention was justified because [REDACTED]

[REDACTED] Ex. A. However, the supporting records Defendants produced [REDACTED] [REDACTED] See Ex. F (contemporaneously filed under seal). Instead, those records establish that, [REDACTED] ICE relied on a different justification for his detention; ICE believed that M.R.C.C.'s [REDACTED]

[REDACTED] ICE removed M.R.C.C. [REDACTED] *id.*, and as such Plaintiffs' counsel has not pursued the matter with Defendants or the Court.

10. The monthly spreadsheet Defendants produced on July 20, for former age-outs re-arrested in June 2026, *see* Ex. B (contemporaneously filed under seal), reflects that ICE released five of the 27 age-outs. One of those five class members, L.G.A., was held in detention for [REDACTED]

days before ICE released him under this Court's orders. *Id.*

Weekly Record Productions for Re-detained Age-outs Listed on Earlier Spreadsheets

11. Additionally, pursuant to this Court's June 2, 2026 order and the parties' subsequent agreement, each week, Defendants provide Plaintiffs' counsel with the records for five individuals listed on previous spreadsheets, namely those produced between January and May 2026 (listing former age-outs re-arrested and detained by ICE between January and April 2026). The majority of these records pertain to individuals who have since been removed.

12. Defendants have thus far produced records for approximately 31 individuals through these weekly productions. Plaintiffs sought enforcement from the Court for two class members in June (Y.Z.P. and H.M.A.), and have identified insufficient changed circumstances in at least two other cases. ICE alleged that N.M.M., who was re-arrested on [REDACTED], should remain detained because he was [REDACTED]

[REDACTED] See Sealed ECF 454, Ex. J. However, the records Defendants produced show that N.M.M.'s [REDACTED]

[REDACTED] See Ex. C (contemporaneously filed under seal). Indeed, the records show that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

² [REDACTED]

13. In the case of M.R.L., ICE alleged [REDACTED] as the justification for re-detention. *See* Sealed ECF 454, Ex. J. However, the records produced [REDACTED] [REDACTED] *See* Ex. D (contemporaneously filed under seal). There is [REDACTED] [REDACTED] [REDACTED] and was removed [REDACTED]

Re-detention of H.M.A.

14. In an additional development, Plaintiffs' counsel learned on July 21, 2026, that H.M.A., who had been ordered released by this Court on July 2, had been rearrested at his ICE check-in on July 20. H.M.A. appeared as directed at the ICE office, 11 days after ICE released him pursuant to the Court's order, at which time ICE re-detained him and served him with a Notice of Revocation of Release. Ex. E (contemporaneously filed under seal). That notice stated only that "It is appropriate to enforce the removal order entered against you as ICE has the ability and means to effectuate your removal," a statement that was substantiated only by a checked box indicating "ICE is seeking a travel document to effect your expeditious removal to Bangladesh." *Id.*

15. On July 21, I emailed Defendants' counsel and attached the Notice of Revocation, noting that there had been no material changes as to H.M.A.'s risk of flight and that ICE did not claim that it actually had a travel document for him or that there was an imminent scheduled removal date, and asking that H.M.A. be released pursuant to the July 2 Order. On July 23, Defendants' counsel responded, stating that DHS "informs us that HMA received a final order of removal on June 11, 2026, not long before Plaintiffs filed their motion to enforce. Additionally, DHS informs us that ICE has now made arrangements for HMA's removal in the near future, which constitutes a material changed circumstance reflecting risk of flight."

16. I responded querying why, given this Court's opinion and order regarding ICE's

failure to establish H.M.A.’s risk of flight, ICE could not provide H.M.A. a date and time to report for his removal; whether ICE actually had travel documents for Bangladesh in its possession; and whether there was an actual imminent date for his removal. Defendants’ counsel replied on July 24 that Section 1232(c)(2)(B)’s protections only “remain in effect *until the age out’s immigration proceedings conclude*,” and that 8 U.S.C. § 1231 now governed H.M.A.’s detention (quoting ECF No. 436 at 33); that “ICE is in possession of all necessary travel documents;” and “ICE has a travel date scheduled within the next 14 days.” However, Defendants failed to provide any documentation to substantiate the existence of travel documents or a removal date; and having never raised the issue of H.M.A. being subject to a final removal order—which, as Defendants acknowledged, was true since before Plaintiffs filed the motion to enforce seeking H.M.A.’s release—Defendants previously waived any argument that his final removal order prevented ICE from complying with this Court’s orders.

17. As of today, Defendants have not confirmed that H.M.A. has in fact been removed.

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

Executed on July 28, 2026 at Washington, D.C.



Suchita Mathur