

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CARLOS SEBASTIAN ZAPATA RIVERA,  
Petitioner,

v.

DAVID WESLING, Acting Field Office Director,  
TODD LYONS, Acting Director U.S.  
Immigrations and Customs Enforcement,  
and KRISTI NOEM, U.S. Secretary  
of Homeland Security,  
Respondents.

Case No. \_\_\_\_\_

**PETITION FOR WRIT OF HABEAS CORPUS**

1. Petitioner Carlos Sebastian Zapata Rivera files this petition because he has been unlawfully placed in custody in retaliation for protected First Amendment petitioning activities, including requesting that U.S. Immigration and Customs Enforcement (“ICE”) preserve records, pursuing a civil claim against an ICE agent, and serving Court-authorized subpoenas on the U.S. Department of Homeland Security (“DHS”) and a person believed to be one of its agents.
2. In early November 2025, an ICE agent strangled Carlos unconscious in his car. Carlos was then arrested and later released at the scene. For roughly a month after that incident, ICE took no further action against Carlos.
3. However, around the end of November, Carlos’s counsel sent ICE an evidence preservation request concerning the incident. Shortly thereafter, ICE ordered Carlos to appear for the first in a series of frequent “check-ins” at ICE’s office in Burlington, during which ICE personnel threatened to place Carlos on GPS monitoring despite being unable to articulate

any reason for doing so. It was the first time that immigration authorities had asked Carlos to appear in nearly two and a half years. Carlos has been required to appear for four such check-ins in the past two months, each time under threat of potential arrest. He has appeared for every check-in as ordered.

4. Carlos filed a civil action against the ICE agent in December. At the end of January, the Court authorized Carlos to serve subpoenas on DHS and one of its agents, and the subpoenas were promptly served.
5. When Carlos appeared for his next check-in on February 11, ICE abruptly ordered Carlos to report for enrollment in the Intensive Supervision and Monitoring Program (“ISAP”) at the BI Incorporated (“BI”) office on February 17. ISAP can involve restrictive and highly intrusive conditions. When Carlos’s immigration counsel asked to discuss this decision with an ICE supervisor, counsel was refused access to the supervisor and was informed that the decision had been made above the supervisor’s level.
6. Yesterday morning, Carlos reported to the BI office as ordered. During that visit, a case specialist imposed numerous restrictive conditions on Carlos including: 24/7 GPS monitoring, travel restrictions limited to four New England states, entry to Carlos’s home on demand, and required compliance with a “weekly schedule.” Carlos was also required to provide his social media usernames. The case specialist stated that these orders came from ICE, and was unable to provide any specific justification for why Carlos was being subjected to these restrictive conditions.
7. Troublingly, some of the restrictions listed above were only conveyed orally during the visit and are not captured in the written documents provided to Carlos and his immigration counsel. By contrast, other conditions were not mentioned during the visit but are included

in the written documents without detail or explanation. Notwithstanding this discrepancy, Carlos intends to comply with all conditions provided both orally and in writing.

8. As described below, these extreme conditions are a form of custody. Carlos's protected First Amendment petitioning activities were plainly a substantial and/or motivating factor for the government's adverse actions against him. His custody is therefore unlawful and may be remedied through habeas relief. He requests such relief, including interim release pending adjudication of this petition, and a final order requiring release.

*A. Carlos resides in the United States with his wife and daughter, has no criminal record, and has appeared for all required immigration proceedings.*

9. Petitioner Carlos Sebastian Zapata Rivera resides in Fitchburg, Massachusetts, with his wife Juliana and their daughter.

10. Carlos was born in Ecuador.

11. Carlos later traveled to the United States. In February 2023, he was arrested inside the United States by Border Patrol agents pursuant to Section 236 of the Immigration and Nationality Act, codified at 8 U.S.C. § 1226.

12. The Border Patrol placed Carlos in Removal Proceedings. The Notice to Appear documents that Carlos was "an alien present in the United States." The Notice to Appear also alleges that Carlos entered without being admitted or paroled.

13. Shortly after Carlos's arrest, the Border Patrol determined that he should be released from custody pursuant to Section 236 of the Immigration and Nationality Act, codified at 8 U.S.C. § 1226. The Border Patrol ordered Carlos to appear in the Immigration Court in Boston to continue his proceedings and released him.

14. Carlos has appeared for all required proceedings in the Immigration Court. As part of those proceedings, he filed an application for asylum in early 2024. That application is currently

pending, and his proceedings are ongoing. The Immigration Court ordered him to appear for his next hearing on December 14, 2028.

15. When Carlos was released from Border Patrol custody in 2023, he was also ordered to appear for an in-person “check-in” with immigration authorities when he arrived in Massachusetts. The initial Order of Release on Recognizance stated that Carlos would be required to submit to electronic GPS monitoring and comply with additional conditions as part of an Alternatives to Detention (“ATD”) program.

16. However, when Carlos appeared for the check-in in Massachusetts as ordered in or around February 2023, the immigration authorities did not put a GPS monitor on Carlos, did not instruct him to wear a GPS monitor, and did not impose any additional conditions.

17. From in or around February 2023 through the end of November 2025 (a period of roughly two and half years), the immigration authorities never asked Carlos to appear for another check-in.

18. Prior to yesterday, the immigration authorities have never put a GPS monitor on Carlos or imposed any additional conditions in an ATD program.

19. While Carlos’s immigration proceedings have been pending, the U.S. government authorized him to work in the United States. He has been lawfully employed to support himself and his family.

20. Carlos has no criminal record.

*B. On November 6, 2025, federal agents used force against Carlos during a vehicle stop, arrested him, and later released him at the scene.*

21. On November 6, 2025, Carlos was driving his wife Juliana to work from their home in Fitchburg, Massachusetts. Their daughter, who is a United States citizen, was riding in the car with them, as well.

22. Shortly after they left their home, a group of agents employed by ICE, together with other federal agents working on behalf of ICE (collectively, the “ICE arrest team”), activated their lights behind Carlos’s car. On information and belief, the purpose of the stop was to arrest Juliana and place her in civil immigration custody. This vehicle stop and related events are referred to herein as the “November 6 incident.”

23. During the November 6 incident, the ICE arrest team used force against Carlos, arrested him, and later released him at the scene.

24. During the November 6 incident, the ICE arrest team arrested Juliana and transported her to an immigration detention location in Maine. Juliana, through counsel, filed a Petition for Writ of Habeas Corpus in the U.S. District Court for the District of Maine. The government initially claimed that her arrest had been required by the recently enacted Laken Riley Act, but later abandoned that assertion. A federal judge ordered Juliana released on November 10, 2025. *See generally Ojeda Montoya v. Joyce*, No. 25-558 (D. Me.). As a result of the federal judge’s order, Juliana has received a bond hearing in the Immigration Court, and the Immigration Judge ordered that she remain released on bond.

*C. ICE is retaliating against Carlos for his participation in activities protected by the First Amendment, including asking the government to preserve evidence, filing a lawsuit against a federal agent, and serving Court-authorized subpoenas on the government and one of its employees.*

25. On November 25, 2025, Carlos’s counsel sent a letter to ICE requesting that ICE preserve, and not modify or destroy, all evidence and information relating to the November 6 incident. The letter was delivered to the recipients between November 26 and November 28, 2025. On December 1, 2025, Carlos’s counsel sent a similar letter to another federal law enforcement agency that had agents at the scene, and that letter was delivered to that

agency on December 2, 2025. *See* Ex. A (collected letters and delivery confirmation emails).

26. After the November 6 incident, ICE took no action against Carlos for a month. However, on December 6, 2025—roughly a week after the preservation letters were delivered—an ICE deportation officer sent Carlos a “Call-In Letter” demanding without explanation that he appear for a check-in at ICE’s office in Burlington, Massachusetts, at 10 a.m. on December 18, 2025. The Call-In Letter demanded that Carlos bring his passport to the check-in. *See* Ex. B (call-in letter).

27. That was the first time ICE had requested that Carlos appear for a check-in since early 2023.

28. Carlos has appeared for all Immigration Court proceedings, and his next hearing in that court is in 2028.

29. Carlos’s immigration counsel asked to postpone the check-in due to scheduling conflicts, but ICE refused to postpone it.

30. On December 15, 2025, Carlos filed a federal civil action against an ICE agent who participated in the November 6 incident. The complaint alleges, in summary, that the ICE agent strangled Carlos unconscious in violation of the U.S. Constitution. *See* Complaint (D.E. 1), *Zapata Rivera v. Unknown Federal Agent John Doe*, C.A. No. 25-13850-MRG (D. Mass.) (copy attached as Ex. C).

31. On December 18, Carlos appeared as ordered for the check-in, accompanied by immigration counsel.

32. At the December 18 check-in, ICE agents informed Carlos’s immigration counsel that they believed he may have violated his conditions of release. However, when asked, the ICE

agents were unable to specify what Carlos did that violated conditions of release. Indeed, the ICE agents indicated they did not have access to Carlos's immigration file, and so were not aware what conditions, if any, had been placed on his release and were not sure that he did violate any terms. *See* Ex. G ¶9 (Declaration of Annelise Araujo, Esq.).

33. At the December 18 check-in, ICE agents informed Carlos's immigration counsel that they intended to place him on GPS monitoring to monitor his location and would arrest him if ICE determined that he violated the terms of his release. *See id.* ¶¶ 6, 12.

34. After Carlos's immigration counsel objected to the GPS, a supervisor decided that ICE would not put him on GPS, but instead would require him to appear for check-ins on a weekly basis, with the next check-in on December 26. *See id.* ¶¶12-13.

35. On information and belief, weekly ICE check-ins are outside the ordinary course of agency practice. *See id.* ¶13.

36. Indeed, this was the first time Carlos's immigration counsel, who has been in practice for more than 18 years, had seen such a frequent schedule of check-ins be required. *See id.*

37. On information and belief, an ICE check-in on December 26, 2025, is outside the ordinary course of agency practice because all executive departments and agencies of the federal government were generally ordered to be closed that day.<sup>1</sup>

38. On December 26, Carlos appeared for the additional check-in as ordered, accompanied by immigration counsel.

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<sup>1</sup> *See* Executive Order, "Providing for the Closing of Executive Departments and Agencies of the Federal Government on December 24, 2025, and December 26, 2025" (Dec. 18, 2025), <https://www.whitehouse.gov/presidential-actions/2025/12/providing-for-the-closure-of-executive-departments-and-agencies-of-the-federal-government-on-december-24-2025-and-december-26-2025/>.

39. At the December 26 check-in, ICE again said it did not have Carlos's file, and ordered him to return for yet another check-in on January 7, 2026. *See* Ex. D (reporting receipt); Ex. H ¶¶7-8 (Declaration of Lindsay Rosenbaum, Esq.).
40. On January 7, 2026, Carlos appeared for the additional check-in as ordered, accompanied by immigration counsel. ICE ordered him to return for yet another check-in on February 11, 2026. *See* Ex. H ¶9; Ex. E (check-in email).
41. In the meantime, on January 23, 2026, Carlos, through counsel, moved to take limited early discovery in his civil action. *See* D.E. 8, *Zapata Rivera v. Unknown Federal Agent John Doe*, C.A. No. 25-13850-MRG (D. Mass.). The motion sought leave to serve subpoenas on the U.S. Department of Homeland Security ("DHS"), the U.S. Marshals Service, and an individual who may be the unknown ICE agent who strangled Carlos.
42. Carlos's counsel served the motion on the U.S. Attorney's Office at the time it was filed. The Court allowed the motion on January 30.
43. After the Court authorized the subpoenas, Carlos, through counsel, made efforts to serve the subpoenas during the first week of February. The subpoenas to DHS and the U.S. Marshals Service were transmitted to the relevant agencies by electronic mail on February 3, 2026. On February 4, 2026, a copy of the subpoena to the person who may be the unknown ICE agent who strangled Carlos was delivered to what is believed to be his home address by the Essex County Sheriff's Department, and that same person was served in hand by the Essex County Sheriff's Department on February 6, 2026.
44. Approximately a week later, on February 11, 2026, Carlos appeared as ordered for the scheduled check-in at ICE's office in Burlington, Massachusetts. Ex. H ¶10.

45. This check-in was different. At the check-in, ICE ordered Carlos to report to BI in Framingham, Massachusetts. BI is a private contractor that works for ICE. BI administers ISAP, which can include GPS monitoring and other restrictive conditions. *Id.* ¶11. On information and belief, BI is responsible for affixing GPS monitors and other means of monitoring noncitizens, but it is not responsible for determining who is affixed with GPS monitors, or for determining the conditions of GPS monitoring or any other means of monitoring noncitizens. *Id.*; *see* Ex. G. ¶14.
46. Carlos’s immigration counsel asked multiple times to speak with a supervisor about this change in Carlos’s conditions of release. The ICE officer present informed Carlos’s immigration counsel that the decision “came from above” the supervisor, and did not allow counsel to speak with the supervisor. Ex. H ¶15.
47. On information and belief, refusing to allow counsel to speak to a supervisor upon request is outside the ordinary course of agency practice. Ex. G ¶15.
48. After Carlos’s attorney had requested to speak with the supervisor several times, the ICE officer present made clear that unless Carlos went to BI, he would be arrested. Ex. H ¶15.
49. ICE ultimately ordered Carlos to report to BI in Framingham on February 17, 2026.
50. Carlos reported to BI’s location in Framingham on February 17, 2026, as ordered. *Id.* ¶18.
51. BI put a GPS ankle monitor on Carlos, which he is required to wear at all times. The 24/7 GPS monitor generates a complete picture of his movements, including highly personal activities such as medical appointments and visits with counsel. It is unclear whether ICE acknowledges any restrictions on how this data is used, how long it is retained or with whom it can be shared. *See* Ex. F (ISAP documents); *see* Ex. H ¶28.

52. The case specialist affixing the GPS device was unable to confirm for how long Carlos would be required to wear the device, and was also unable to specify what Carlos would need to do to have the device removed. *Id.* ¶ 26.
53. The BI case specialist who put the ankle monitor on Carlos did not say that he had violated any conditions of his release and provided no information specific to Carlos regarding why he was being placed on 24/7 GPS tracking. The BI case specialist informed Carlos's immigration counsel that the GPS order came from ICE. When Carlos's immigration counsel asked why Carlos was being placed on GPS tracking, a supervisor said that everybody in removal proceedings was required to have GPS monitoring as per the order of this Administration. *Id.* ¶¶ 21-23.
54. Contrary to this statement, on information and belief, many people in removal proceedings are not subject to any GPS monitoring or ISAP monitoring. Indeed, Carlos's immigration counsel has had hundreds of clients in removal proceedings over the course of the last year, and the vast majority have not been subject to any GPS monitoring. Subjecting a person to such restrictive conditions absent an intervening criminal charge is highly unusual. *Ex. G* ¶18.
55. In addition to GPS monitoring, as of yesterday Carlos is now also subject to several additional highly restrictive conditions, including home entry on demand, compliance with a "weekly schedule," and geographic restrictions that limit his movements to Massachusetts, New Hampshire, Rhode Island, and Connecticut. Carlos has family in New York and asked the case specialist if he could travel to that state; the case specialist said no. In addition, Carlos must return to ISAP for an additional check-in on March 3, 2026,

and continue to return for subsequent check-ins every three months thereafter. *See* Ex. F (ISAP documents); Ex. H ¶¶25, 27, 30-33.

56. The geographic limits of Carlos's travel restrictions are not included in the ISAP paperwork provided by BI and were only conveyed to Carlos after he and his immigration counsel asked for the scope of any travel restrictions. *Id.* ¶¶ 25, 30.

57. On information and belief, failing to provide a visual representation of travel restrictions, either in writing or via a map, is outside the ordinary course of agency practice. Ex. G ¶ 17.

58. Two additional conditions imposed on Carlos—home entry on demand and compliance with a weekly schedule—were not mentioned by any case specialist or other employee during Carlos's February 17 visit and are included only in Carlos's written ISAP Documents. This paperwork does not provide any details about the home entry condition, and does not define what weekly schedule Carlos needs to comply with or how he can do so. Ex. F; Ex. H ¶¶32-33.

59. Carlos was also required to provide his social media usernames during his February 17 visit, including for his TikTok, Instagram, and Facebook accounts. Other people who have been subject to GPS monitoring have not been required to provide their social media usernames. Carlos's immigration counsel is not aware of any instance in which one of their clients was asked to provide their social media usernames at the same time that they were placed on a GPS monitor. Ex. G ¶16; Ex. H ¶19. No paperwork nor any employee at BI explained how Carlos's social media usernames will be used and for how long they will be retained. Ex. H ¶ 19.

60. On February 18, Carlos was informed that his GPS ankle monitor was not functioning properly and was instructed to report to the BI Office in Framingham on February 19 at 3:30 Pm so that they could fix the device. Carlos intends to report to the BI Office in Framingham tomorrow as instructed.
61. Subjecting Carlos to 24/7 GPS monitoring and these additional restrictive conditions is a form of custody. *See, e.g., Gonzalez Mojica v. Lyons*, C.A. No. 25-13783, 2026 WL 266502, at \*2 (D. Mass. Feb. 2, 2026) (holding GPS and ISAP are custody for habeas purposes); *Orellana Juarez v. Moniz*, 788 F. Supp. 3d 61, 67-68 (D. Mass. 2025) (same).
62. Before yesterday, ICE never required Carlos to wear a GPS bracelet, be subjected to the other restrictive conditions described above, or otherwise participate in ISAP. Carlos has appeared for all of his scheduled appearances in the Immigration Court, dating back to 2023. Carlos reported to ICE as ordered for scheduled check-ins *four times* in the last two months. He also reported to BI as ordered. ICE's new decision to subject Carlos to 24/7 GPS surveillance and additional restrictive ISAP conditions bears no relationship to the prevention of flight and stands in stark contrast to the ordinary course of agency practice.
63. Indeed, Carlos's immigration counsel cannot identify a single client outside of Carlos who has had their conditions increased unless they failed to comply with a specific term of their release, they received a final removal order, or they had an intervening criminal charge. Ex. G ¶18.
64. On information and belief, Carlos was placed in custody in retaliation for his participation in activities protected by the First Amendment, including requesting that ICE preserve records of the November 6 incident, pursuing a civil claim against an ICE agent, and serving subpoenas on DHS and/or the individual who may be that ICE agent.

**THE PARTIES, VENUE, AND JURISDICTION**

65. Plaintiff Carlos Sebastian Zapata Rivera resides in Fitchburg, Massachusetts, with his wife and their daughter. Their daughter was born in the United States and is a U.S. citizen.
66. Respondent Todd Lyons is the Acting Director for U.S. Immigration and Customs Enforcement.
67. Respondent David Wesling is the Acting Field Office Director for U.S. Immigration and Customs Enforcement for the Boston Field Office, which is located in Burlington, Massachusetts, and has an area of responsibility including Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
68. Respondent Kristi Noem is the U.S. Secretary of Homeland Security.
69. All respondents are named in their official capacities. One or more of the respondents is Petitioner's immediate custodian.
70. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas corpus) and 28 U.S.C. § 1331 (federal question).
71. Venue is proper because Carlos resides in Massachusetts, was placed in custody in Massachusetts, and is currently in custody in Massachusetts.

**CLAIMS FOR RELIEF**

**COUNT I**  
**Violation of First Amendment**  
**(Retaliation)**

72. Petitioner engaged in activity protected by the First Amendment, including protected petitioning activity.

73. As a result of Petitioner's protected activities, the government took adverse actions against Petitioner, including ordering him to appear for repeated check-ins and later placing him in custody.

74. On information and belief, Petitioner's protected activity was a substantial and/or motivating factor for the government's adverse actions against Petitioner.

75. Petitioner's continuing custody is therefore unlawful.

**PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that the Court grant the following relief:

- 1) Assume jurisdiction over this matter;
- 2) Order immediately that, if Petitioner is arrested, Petitioner shall not be transferred outside the District of Massachusetts and shall not be removed from the United States;
- 3) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted;
- 4) Order that Petitioner be released from custody during the pendency of this Petition on such conditions as the Court deems just and proper, including pursuant to the Court's authority as articulated in *Mapp v. Reno*, 241 F.3d 221, 230 (2d Cir. 2001);
- 5) Declare that Petitioner's custody is unlawful;
- 6) Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;
- 7) In the alternative, provide Petitioner with a bond hearing and order Petitioner's release on conditions the Court deems just and proper; and
- 8) Any other relief that the Court deems just and proper.

[signature block on next page]

Respectfully submitted,

Carlos Sebastian Zapata Rivera ,

By His Attorneys,

/s/ Ingrid Sydenstricker

Jessie J. Rossman (BBO # 670685)

Daniel L. McFadden (BBO # 676612)

Ingrid Sydenstricker (BBO # 718298)

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DATED: February 18, 2026

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Carlos Sebastian Zapata Rivera

(b) County of Residence of First Listed Plaintiff Worcester (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Jessie J. Rossman, Ingrid Sydenstricker, Dan McFadden; ACLU of Massachusetts, One Center Plaza, Ste. 850, Boston, MA; 617-482-3170

DEFENDANTS

David Wesling, et al.

County of Residence of First Listed Defendant Unknown (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

U.S. Attorney's Office

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question, 4 Diversity

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship and incorporation status.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 USC 2241. Brief description of cause: Habeas petition for ICE detainee arrested in retaliation for pursuing pending federal claim.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE Hon. Margaret R. Guzman DOCKET NUMBER 25-13850-MRG

DATE February 18, 2026 SIGNATURE OF ATTORNEY OF RECORD /s/ Ingrid Sydenstricker

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

1. Title of case (name of first party on each side only) Zapata Rivera v. Wesling, et al.

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

- I. 160, 400, 410, 441, 535, 830\*, 835\*, 850, 880, 891, 893, R.23, REGARDLESS OF NATURE OF SUIT.
- II. 110, 130, 190, 196, 370, 375, 376, 440, 442, 443, 445, 446, 448, 470, 751, 820\*, 840\*, 895, 896, 899.
- III. 120, 140, 150, 151, 152, 153, 195, 210, 220, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 367, 368, 371, 380, 385, 422, 423, 430, 450, 460, 462, 463, 465, 480, 485, 490, 510, 530, 540, 550, 555, 560, 625, 690, 710, 720, 740, 790, 791, 861-865, 870, 871, 890, 950.  
\*Also complete AO 120 or AO 121. for patent, trademark or copyright cases.

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

Zapata Rivera v. Unknown Federal Agent John Doe, 25-13850-MRG

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?  
YES  NO

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)

YES  NO

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?

YES  NO

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?

YES  NO

7. Do all of the parties in this action, excluding governmental agencies of the United States and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).

YES  NO

A. If yes, in which division do all of the non-governmental parties reside?

Eastern Division  Central Division  Western Division

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?

Eastern Division  Central Division  Western Division

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)

YES  NO

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Ingrid Sydenstricker

ADDRESS ACLU of Massachusetts, One Center Plaza, Ste. 850, Boston MA

TELEPHONE NO. 617-482-3170