

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOSE ARNULFO GUERRERO ORELLANA,
Petitioner-Plaintiff,

v.

ANTONE MONIZ, Superintendent of Plymouth
County Correctional Facility, *et. al*,
Respondents.

Civil Action No. 1:25-cv-12664-PBS

DECLARATION OF ASSISTANT FIELD OFFICE DIRECTOR

KEITH M. CHAN

Pursuant to the authority of 28 U.S.C. § 1746, I, Keith M. Chan, an Assistant Field Office Director for U.S. Department of Homeland Security, United States Immigration and Customs Enforcement, Enforcement and Removal Operations, Burlington, Massachusetts declare as follows:

1. I am employed by the Department of Homeland Security, Immigration and Customs Enforcement (“ICE”), as an Assistant Field Office Director (“AFOD”), located in Burlington, Massachusetts. I have held this position since May 2022, and I have been employed by ICE since August 2008.
2. Included in my official duties as an AFOD in Burlington, Massachusetts is the responsibility for assisting in the managing and monitoring the scheduling and execution of removal orders for aliens in ICE custody. I am familiar with ICE policies and procedures for detaining

individuals to initiate removal proceedings or to effectuate removal orders as well as releasing individuals from ICE custody.

3. I have experience utilizing ICE record systems to obtain information regarding specific aliens. ICE maintains electronic and paper records of aliens. These records are made during regularly conducted business activity at or near the time of relevant events by ICE officials with knowledge of these events. In preparing this declaration, I have examined ICE official records, not limited to, but including the Enforce Alien Removal Module (“EARM”). EARM is an electronic database ordinarily relied upon to ascertain an alien’s immigration history, current case status, and plans for removal, if any.
4. While preparing this declaration, I have examined the official records available to me regarding the immigration history and custody status of Jose Arnulfo Guerrero Orellana (“Petitioner”).
5. Petitioner last entered ICE custody on September 18, 2025. Petitioner is currently detained at the Plymouth County Correctional Facility, in Plymouth Massachusetts.

IMMIGRATION HISTORY

6. Petitioner is not a native and citizen of the United States but is a native and citizen of El Salvador.
7. Petitioner entered the United States at an unknown place and on an unknown date and time without inspection, admission, or parole by an immigration officer. He was not encountered by an immigration officer at that time.
8. On September 18, 2025, during a targeted enforcement action for a fugitive in Everett, Massachusetts, ICE encountered Petitioner pursuant to a vehicle stop. Initially, Petitioner refused to speak with officers, turn the vehicle off, or roll down the window. ICE conducted a warrantless arrest based on his refusal to answer questions, his refusal to exit the vehicle, and

his immediate ability to flee in the vehicle. After ICE arrested, Petitioner, he informed ICE that he was an El Salvadoran citizen. ICE performed database checks and determined that Petitioner, had not previously been encountered by an immigration officer, had no prior admission or parole to the United States, and had no pending applications for immigration status. On the same day, ICE issued and served Petitioner a Form I-862, Notice to Appear, alleging that he is inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i) and 8 U.S.C. § 1182(a)(7)(A)(i)(I). ICE then issued and served on Petitioner a Form I-200, Warrant for Arrest of Alien. As Petitioner is an applicant for admission, ICE detained him pursuant to its authority under 8 U.S.C. § 1225(b)(2).

9. On September 18, 2025, ICE transferred Petitioner to the Plymouth County Correctional Facility, in Plymouth Massachusetts.
10. On September 22, 2025, ICE filed the Notice to Appear, before the immigration court in Chelmsford, Massachusetts. Petitioner is scheduled for the first hearing in his removal proceedings on October 2, 2025.
11. Petitioner has not made any bond or parole requests to ICE.
12. Petitioner remains detained at the Plymouth County Correctional Facility, in Plymouth Massachusetts.

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

Signed on September 30th, 2025



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CHAN
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Keith M. Chan
Assistant Field Office Director
U.S. Department of Homeland Security
United States Immigration and Customs Enforcement
Burlington, Massachusetts