

7. Attached as Exhibit 6 is a true and correct copy of a notices issued to Hanz Morales and his son and entitled “Migrant Protection Protocols: Subsequent Hearing Information,” provided to me by Mr. Morales. The documents are redacted of the name of the minor and immigration case number. In a separate motion, Plaintiffs seek to seal a version of this document that contains Plaintiffs’ court date and file a redacted version for the public record. Note that because their names do not appear on the second pages, I am not certain that the second pages are properly matched to the first pages.
8. Attached as Exhibit 7 is a true and correct copy of the Notices of Custody Determination for Mr. Morales and his son, provided to me by Mr. Morales. The documents are redacted of the name of the minor and certain immigration and government case numbers.
9. Attached as Exhibit 8 is a true and correct copy of an affidavit by Sergio Martin.

Signed under the pains and penalties of perjury, this 22nd day of January, 2020.

/s/ Adriana Lafaille
Adriana Lafaille

EXHIBIT 1

REDACTED

AFFIDAVIT OF [REDACTED]

1. [REDACTED]
[REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
2. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
3. [REDACTED]
[REDACTED]
4. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
5. [REDACTED]
[REDACTED]
[REDACTED]
6. [REDACTED]
[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
7. Since July, U.S. authorities have been sending migrants to Nuevo Laredo. This practice has put migrants directly into the hands of cartels, [REDACTED]
[REDACTED]
[REDACTED]
8. Since this practice began, cartels have become emboldened even more, and the situation in Nuevo Laredo has become increasingly dire.
9. Mexico is not safe for migrants, and Nuevo Laredo is especially dangerous.

10. The cartels in Nuevo Laredo are the de facto government. They run the city and operate openly and with impunity. Mexican authorities cannot control the cartels and have a limited presence in this part of Mexico. It is not uncommon to see trucks full of armed cartel members driving through the city, or to hear gun fights between cartels or between a cartel and Mexican authorities.
11. Although Nuevo Laredo is a dangerous city generally, it is migrants who are especially at risk. Preying on, kidnapping, and extorting migrants has become the cartels' way of life. And the cartels violently punish any migrant who does not submit themselves to their authority.
12. It is difficult to overstate the dangers that migrants face in Nuevo Laredo. Migrants in Nuevo Laredo cannot walk down the street, even in broad daylight, and even immediately in front of Mexican authorities.
13. [REDACTED] have been victims of kidnapping or other violence, some multiple times. These experiences are so harrowing and leave migrants so shaken that many are too afraid to share any details at all. Mexican authorities cannot help these migrants, and some of the authorities are corrupted by the cartel and help turn migrants over to them.
14. Cartels are fully aware of places where migrants are especially likely to be found, and target them at those places. From the moment that asylum seekers cross the Gateway to the Americas International Bridge after being sent to Nuevo Laredo, [REDACTED]
[REDACTED].
15. Many people cross the bridge both on foot and by car, but migrants are distinguishable from other bridge crossers for many reasons, including the higher likelihood of being accompanied by children, the see-through bags with their belongings that they leave U.S. custody with, the papers they sometimes carry, and their lack of shoelaces—which U.S. authorities often take. Because of this last fact, we have handed out countless pairs of shoelaces to migrants sent to Mexico by U.S. officials.
16. The cartels target migrants at the foot of the bridge, right outside the Mexican immigration building where migrants go to receive temporary permission to remain in Mexico after being sent back by U.S. authorities. Cartels also target migrants at bus stations and wait for them [REDACTED]
[REDACTED]. [REDACTED]. The cartels constantly monitor the movement of migrants through the city, sometimes with the help of Mexican authorities.

17. Migrants returned to Nuevo Laredo must try to find shelter and go outside as little as possible. If they are seen outside, they are simply picked off the street by cartels.
18. [REDACTED] the cartels distinguish among migrants and target Central American migrants especially. [REDACTED] if the cartels see a person on the street in Nuevo Laredo that they believe is a Central American migrant, it is automatic that they will kidnap that person.
19. Central American migrants are viewed with suspicion and contempt and discriminated against throughout Mexican society. Central Americans often come from very poor backgrounds and have low education levels. They have suffered profound trauma and humiliation before migrating, and their countries are so fractured by violence that their people cannot turn to anyone outside their own family. Mexicans often view these migrants as second-class citizens who are a problem and a burden.
20. [REDACTED] Mexican authorities discriminate against and humiliate Central American migrants, who they also treat as a burden. Mexican authorities speak to migrants with angry tones and disrespectful and intimidating language. They do not answer their questions and excoriate them for not knowing Mexican law. These authorities do not protect Central American migrants but instead send them out without regard for the dangers that they face. They either look the other way or, in many cases, help the cartels harm migrants.
21. The cartels know that Central American migrants are completely defenseless and that Mexican authorities and society views their lives as disposable.
22. Because they are specifically targeted for violence, kidnapping, and other crimes, Central American migrants have to try to blend in and look like Mexicans in order to survive. But wherever they go, Central American migrants know that they will eventually be discovered because of their accent or their clothes or because someone will ask for their papers and report on them, or for other reasons.
23. The violence against Central Americans in turn reinforces the broader society's unwillingness to help them. Even shelters are afraid to house Central American migrants because they fear problems with cartels. Regular Mexicans do not want to rent to or employ Central American migrants because they, too, are afraid of the cartels. To add to that, prospective employers are also hesitant to employ migrants who will need to go to Court and are likely to leave Mexico in a matter of months.

24. [REDACTED]
[REDACTED] They agonize over the decision of whether to go, knowing that they will not reach safety in the United States if they do not go, but also aware that they risk their lives in Nuevo Laredo just by going. Some migrants who have already endured harrowing violence in their countries are simply too afraid to go to court. Others push forward because, despite all of the dangers, it is their only hope for safety.

25. Because of the dangers that migrants face, [REDACTED]
[REDACTED]
[REDACTED].

26. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

27. [REDACTED]
[REDACTED]
[REDACTED]

28. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

29. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED].

30. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

31. [REDACTED]. They were
returned to Nuevo Laredo around the time that the U.S. government first
began this practice, [REDACTED]
[REDACTED]
[REDACTED].
When they have returned to Nuevo Laredo for court, I [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

32. [REDACTED]
[REDACTED].

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of January, 2020.

[REDACTED]
[REDACTED]
[REDACTED]

EXHIBIT 2

AFFIDAVIT OF HANZ MORALES

1. My name is Hanz Minoldo Morales Barrera. I am currently in hiding in Mexico with my nine-year-old son.
2. I first came to the United States in the 1990s to visit my siblings. On one of these trips, I ended up staying and lived mostly in Massachusetts. I don't now recall the years but I lived in the United States for approximately ten years.
3. In Guatemala I met my partner, Maudy Romeli Constanza Lemus, and we had three children. Our son is now nine years old and our daughters are three and six.
4. We lived outside of a small town, where we had a relatively good life.
5. That life came to an end after an incident in which I witnessed a murder and was shot four times. Since that incident, we have feared for our lives every day, continuing to this day.
6. After the shooting, we even hired private security while I was in the hospital. After that, we moved to different cities and stayed in different people's houses. Eventually, for financial reasons, we saw no choice but to move back to our house, but we were terrified of being there. We told few people that we were back and avoided going outside as much as possible.
7. We left Guatemala in June 2019 and journeyed to the United States, where we hoped to find safety and build a life for our family. We thought that if we explained what had happened to us we would receive protection.
8. When we reached the United States border, Maudy and our daughters entered the United States first. I did not hear from them for days. I could not sleep at night and imagined all manner of horrible things that might have happened to them. Finally, we heard from them and learned that they were safe. It was such a great relief. Maudy and my daughters are now living with my relatives in Massachusetts.
9. I crossed the border with my son around July 19, 2019. I believed that I would encounter American authorities and be given the opportunity to seek protection.
10. We did encounter American officials, and were in custody for approximately a week. I was given some immigration paperwork.
11. They did not ask me about and I did not have the chance to tell them about what had happened to me in Guatemala or my fear of going back there.
12. Instead, American officials told me that I would be sent to Nuevo Laredo, Mexico and would have to wait there for my next immigration court date, which was a few months later. I was in shock when I received this news. I could not even really understand it. I told the officials that it was too dangerous for us there, but they told me that there was nothing that they could do and that that is the way things were now.

13. I had never been to Nuevo Laredo but I knew that the entire region was extremely dangerous and that as migrants we could be targeted by criminal groups. I believed that Mexican authorities would not protect us.
14. On the day that my son and I were taken to the bridge I was terrified. I thought about the horrible things that the cartels might do to us in Mexico, especially to my son, who was just eight years old. I sat down on the bridge in the hot sun and told my son to sit down with me. I begged officials to do anything, including sending me to jail, as long as they did not send us back to Mexico. My son and I were crying.
15. An official told us that because we did not cooperate, we would be separated. He said that I would be imprisoned and my son would be sent to an institution for minors and that I would never see him again. My son was inconsolable when he heard this.
16. I felt as if my world was falling. I agonized over thought of something horrible happening to us in Mexico, and agonized over the possibility of never seeing my son again.
17. They took us to a holding facility. The next day, they told us that we had another chance to cooperate. They took us back to the bridge.
18. The second time that we were taken to the bridge, my son and I walked across. We had no choice.
19. I was not told and did not know that I could be interviewed about my fear of return to Mexico. If I had known that, I would have requested that interview.
20. Walking across the bridge, I was terrified and had no idea what would become of us. I knew that we were easy prey for the cartel.
21. We went into the Mexican immigration building, where the Mexican government gave us some paperwork. We were terrified to go anywhere, so we stayed there. We wound up sleeping there on the floor for several days, along with other migrants.
22. After the first night, I went outside with my son to try to buy some clothes near the immigration building. Armed men with ski masks entered the store and forced us and other migrants to go outside with them. It was daytime and there were other people in the store, but the Mexicans in the store did nothing. They just pretended not to see what was happening.
23. As the men escorted us outside towards their vehicle, there happened to be some Mexican soldiers just across the street. As they approached the kidnappers left.
24. The next time we went outside, I saw some men following us and we ran back across the street and back into the Mexican immigration building.
25. There were many migrants staying at the Mexican immigration building, and we saw some who went out to buy food or other necessities and never came back. Their families became desperate, saying that they had been kidnapped.

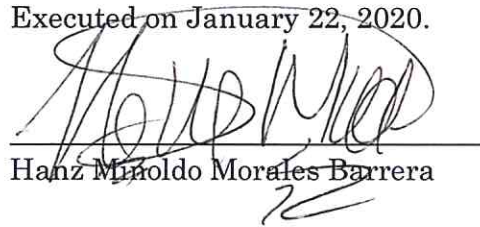
26. The fear that I felt was all-consuming. It was too dangerous to buy food, so we often preferred to be hungry. My son was extremely scared as well. One night, I got up to charge my phone on a nearby wall. My son woke up and didn't see me and immediately began screaming and crying.
27. After a few days, Mexican authorities put us on a bus and took us to another city. There, we did not know which way to go and I wound up renting a hotel room. My son and I remained terrified to go outside.
28. My sister eventually found help through her church in Massachusetts, which had connections to a pastor that worked in Nuevo Laredo. The pastor helped me find shelter outside of Tamaulipas and farther from the border. We have been there since approximately August.
29. In October and November we went back to Nuevo Laredo for court dates. After my first experience in Nuevo Laredo, the thought of returning to Nuevo Laredo was almost unbearable, but I knew that we had to go.
30. The pastor helped us get to court through a combination of buses, rides with other migrants in his van, and nights at the migrant shelters in Nuevo Laredo. Each time, it was a tremendous relief when we made it out of Nuevo Laredo.
31. To go to court, we have to walk across the bridge and present ourselves to American authorities. Officials walk us over to a large tent that is very close to the bridge and the Judge and lawyers appear on the screen from San Antonio. After court, they take us back to the bridge. Our nightmare begins again when we have to walk back over to Nuevo Laredo.
32. When U.S. officials send us back to Nuevo Laredo, they do not make it easy for us to blend in with other bridge crossers. For example, they have taken our shoelaces and put our belongings into clear plastic bags that they would not let us unpack before crossing the bridge. If the pastor had not picked us up at the Mexican immigration building after our court hearings, we would have had no way out of there.
33. After my first hearing, I got a lawyer with the help of the pastor and a group in Massachusetts. I have never met my lawyer. I have spoken to her on the phone a couple of times, but it is difficult for me to reach her and for her to reach me.
34. At my November hearing, my lawyer had asked for an interview so that I could explain my fear of returning to Mexico.
35. The interview happened after my court hearing, in an office trailer, where I spoke on a speaker phone to an officer who asked me questions through an interpreter.
36. I was very distraught during the interview. I felt that the officer was not interested in what had happened to us or thought that I was lying. No matter what I said, I felt that I could not make him understand or care about how unsafe we were in Mexico. I could tell that I would be sent back. My son and I were both crying during the interview. The officer also asked to speak to my son. He asked my son if he was

afraid of going back to Mexico and my son said that he was afraid that someone would kill me and harm him. The officer told my son that he was very brave. To this day I cry every time I think about that interview, knowing it was our only chance to escape this ordeal.

37. I was never told the result of the interview. Instead, we were taken back to the bridge and made to walk back to Nuevo Laredo again.
38. In Mexico, I have tried to carry on some semblance of normal life. I have tried to find work and rent an apartment, but I was turned away everywhere. People have told me outright that they do not rent to Guatemalans, or would not employ me because I was a migrant. Once a bus company even refused to sell us bus tickets because of the papers that the Mexican government had given us. Even at a store where I tried to buy food once, the employees simply ignored me and treated me as if I was not there after they heard me speak. I do not know if it was because of my accent or because I used the wrong words, but as soon as they realized that I was Central American they refused to help me.
39. I also avoid going outside as much as possible because of the dangers we face in Mexico. We depend largely on the assistance of two local pastors and their family in order to survive day to day. At first my son went to school, but he was too afraid to keep going. Instead, we simply stay inside alone, and usually interact with no one but each other. We cry almost every day.
40. The situation we are enduring is extremely difficult. I do not wish it on anyone. I have been touched by the kindness of those who have helped us. But I do not know how long we can bear it.
41. We have spent our birthdays and the Christmas holidays here. Those dates brought me a lot of memories and made me very depressed. My son and I both cried so much on those days.
42. I am very worried about my son. He cannot study or be a kid here. Instead, he is inside with me all day, scared about what might happen. He asks me how much longer we will be here. He startles even in his sleep. He becomes completely hysterical if he does not see me. If I go to the bathroom, he follows me and does not let me close the door.
43. I spend my days in distress. I cannot remember things or think clearly. On many nights, I cannot sleep. I feel deeply depressed. Some days, I cannot even get out of bed or talk on the phone with our lawyer. I often want to give up, but there is nowhere that I can go.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 22, 2020.



Hanz Minoldo Morales Barrera

TRANSLATION AFFIDAVIT

I certify that I am fluent in Spanish and English and read this declaration to Hanz Minoldo Morales Barrera in Spanish.

/s/ Adriana Lafaille
Adriana Lafaille

1/22/20
Date

EXHIBIT 3

AFFIDAVIT OF MAUDY CONSTANZA

1. My name is Maudy Romeli Constanza Lemus. I am the partner of Hanz Minoldo Morales Barrera. We have three children together. They are nine, six, and three years old.
2. Hanz and I fled Guatemala with our family in June 2019 to escape the people who shot Hanz four times.
3. My daughters and I crossed the border into the United States around July 13, 2019. American authorities detained us, processed us, and permitted us to join relatives in Massachusetts while continuing to seek asylum.
4. A few days later, U.S. authorities sent Hanz and our son into Nuevo Laredo, Mexico. Our son was eight years old at the time. I have not seen them since I crossed the border in July 2019.
5. Being separated from them has been the hardest thing I have ever experienced. When Hanz and our son were sent to Nuevo Laredo, they knew no one and had nowhere to go. They managed to reach Hanz' sister and, when she told me what had happened to them, I felt as though the ground had come out from under me.
6. Since then, I have spent every day thinking of little else. I know that Hanz and our son were almost kidnapped twice, and I live in fear each day of what will happen to them.
7. Every time that I don't hear from Hanz for a short time, I start to panic and imagine the worst.
8. I worry not only about Hanz and my son's physical safety, but also about their emotional well-being. Before leaving Guatemala we went through a lot and lived in fear and in hiding for more than a year, so we were already in a fragile state. I do not know how much more they can bear.
9. Hanz is emotionally devastated. He feels desperate and alone. There are many days when he does not want to get out of bed and he cannot even engage with other people over the phone, including our lawyer. He tells me he does not know what to do and wants to forget about everything. I try to give him strength and motivation. If I was not there to talk him through some of the low points that he has experienced, I do not know what would have become of him.
10. I am so afraid for my son. He has been through so many difficult times in the last two years. If he loses sight of Hanz, even briefly, he starts shaking and crying because he is so afraid something is going to happen to his father. When I talk to him he cries and asks me when this will all be over. He is constantly insecure and on edge.
11. My daughters ask me about their father and brother daily. Every day, when I tell my daughters that I love them, my three-year-old asks me whether I also love my son. It hurts me to not be able to tell them when they are going to see their father and brother again.

12. I try not to let my daughters see how upset I feel all the time. I sometimes go into the bathroom to cry so that they won't see me. Then I wash my face and fix my hair and come out pretending that everything is fine. Still, my three-year-old often notices that my eyes are red and tells me not to be sad. She promises to bring her father and brother home herself. It breaks my heart.
13. I am on edge constantly. I forget things that people tell me, and I cannot focus on what I am doing. It is almost as if I am not really here because my mind is always preoccupied with Hanz and our son. Every day, I ask God to protect them.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 20, 2020.


Maudy Romeli Constanza Lemus

TRANSLATION AFFIDAVIT

I certify that I am fluent in Spanish and English and read this declaration to Maudy Romeli Constanza Lemus in Spanish.

Adriana Lafaille

Date

EXHIBIT 4

REDACTED

U.S. Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

PINS #: [REDACTED]

DOB: [REDACTED]

File No: [REDACTED]

Event No: RGC1907000519

In the Matter of:

Respondent: HANZ MINOLDO MORALES-BARRERA

CASA DE MIGRANTE NAZARETH FRANCISCO I. MADERO 350, COLONIA VIVEROS NUEVO LAREDO,
TAMAULIPAS, MEXICO

currently residing at:

(Number, street, city and ZIP code)

(Area code and phone number)

- ☐ 1. You are an arriving alien.
- ☐ 2. You are an alien present in the United States who has not been admitted or paroled.
- ☐ 3. You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of Guatemala and a citizen of Guatemala;
3. You arrived in the United States at or near Rio Grande City Texas, on or about July 19, 2019;
4. You were not then admitted or paroled after inspection by an Immigration Officer.
5. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30(f)(2) ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:
00 DOLOROSA STREET-SUITE 300 San Antonio TX US 78207

(Complete Address of Immigration Court, including Room Number, if any)

at 01:00 PM

(Date)

(Time)

CASEY H. ADAMS

ACTING PATROL AGENT IN CHARGE

(Signature and Title of Issuing Officer)

Laredo, Texas

(City and State)

See reverse for important information

Warning: Any statement you make may be used against you in removal proceedings.

Notice to Respondent

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses or locations for surrender can be obtained from your local DHS office or over the internet at <http://www.ice.gov/about/dro/contact.htm>. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on July 23, 2019, in the following manner and in compliance with section 239(a)(1)(F) of the Act.

- ☒ in person ☐ by certified mail, returned receipt requested ☐ by regular mail
- ☐ Attached is a credible fear worksheet.
- ☐ Attached is a list of organizations and attorneys which provide free legal services.

The alien was provided oral notice in the Spanish language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

[Signature]
(Signature of Respondent if Personally Served)

OSCAR ZENTENO JR

CBP OFFICER

(Signature and Title of officer)

U.S. Department of Homeland Security

Notice to Appear

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

File No: [REDACTED]

DOB: [REDACTED]

Event No: RGC1907000519

In the Matter of:

Respondent: [REDACTED]

currently residing at:

CASA DEL MIGRANTE NAZARETH FRANCISCO I. MADRERO 350, COLONIA VIVEROS NUEVO LAREDO,
TAMAILTEAS, MEXICO

(Number, street, city and ZIP code)

(Area code and phone number)

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212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- ☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30(f)(2) ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:
800 DOLOROSA STREET-SUITE 300 San Antonio TX US 78207

(Complete Address of Immigration Court, including Room Number, if any)

on [REDACTED] at 01:00 PM to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

CASEY H. ADAMS ACTING PATROL AGENT IN CHARGE

(Signature and Title of Issuing Officer)

Date: July 23, 2019

Laredo, Texas

(City and State)

See reverse for important information

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are under removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 3.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents, which you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing.

At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear and that you are inadmissible or removable on the charges contained in the Notice to Appear. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge.

You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of departure voluntarily. You will be given a reasonable opportunity to make any such application to the immigration judge.

Failure to appear: You are required to provide the DHS, in writing, with your full mailing address and telephone number. You must notify the Immigration Court immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to one of the offices listed in 8 CFR 241.16(a). Specific addresses on locations for surrender can be obtained from your local DHS office or over the internet at <http://www.ice.gov/about/dro/contact.htm>. You must surrender within 30 days from the date the order becomes administratively final, unless you obtain an order from a Federal court, immigration court, or the Board of Immigration Appeals staying execution of the removal order. Immigration regulations at 8 CFR 241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Act.

Request for Prompt Hearing

To expedite a determination in my case, I request an immediate hearing. I waive my right to a 10-day period prior to appearing before an immigration judge.

Before:

(Signature of Respondent)

Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on July 23, 2019, in the following manner and in compliance with section 239(a)(1)(F) of the Act.

☒ in person ☐ by certified mail, returned receipt requested ☐ by regular mail

☐ Attached is a credible fear worksheet.

☒ Attached is a list of organizations and attorneys which provide free legal services.

The alien was provided oral notice in the Spanish language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

X Refused to sign
(Signature of Respondent if Personally Served)

ADRIAN PUELLO

CBP Officer

(Signature and Title of officer)

EXHIBIT 5

REDACTED

A# [REDACTED]

Migrant Protection Protocols Initial Processing Information

- You have been identified for processing under the Migrant Protection Protocols and have been issued a Form I-862 Notice to Appear (NTA) for proceedings before an immigration court where you may apply for all forms of relief available under the Immigration and Nationality Act. Pursuant to U.S. law, including section 240 of the Immigration and Nationality Act and implementing regulations, an immigration judge will determine whether you are removable from the United States, and if you are, whether you are eligible for relief or protection from removal. While you will be able to pursue such relief or protection under the same terms and conditions as any alien in section 240 proceedings, pursuant to U.S. law, you will be returned to Mexico and may not attempt to enter the United States until you return to the appropriate port of entry on the date of your hearing before an immigration judge.
- The NTA provides the date and time of your first hearing before an immigration judge in the United States. The court identified on your NTA is the official court location for filing purposes. On the date of your hearing, you must report to the Gateway to the Americas International Bridge (POE #1) port of entry, at the date and time listed below. Your hearing will take place by teleconference in an immigration hearing facility located at the port of entry. If your case cannot be completed in one hearing, the immigration court will provide you with a Notice of Hearing in Removal Proceedings, indicating the date and time for any subsequent hearings.
 - o You may call the immigration court at 1-800-898-7180 to obtain case status information 24 hours a day, 7 days a week. If you are calling from outside of the United States, you should dial 001-880-898-7180.
- You should arrive at the port of entry listed above at 9:00:00 AM on [REDACTED] to ensure that you have time to be processed and meet with attorney or accredited representative (if you arrange to be represented during your removal proceedings). If you fail to arrive at the appropriate date and time, you may be ordered removed in absentia.
 - o When you arrive at the designated port of entry for your hearing, you should bring your NTA or of Hearing in Removal Proceedings and any available government-issued identification and/or travel documents.
 - o When you arrive at the designated port of entry for your hearing, you should bring any minor children or other family members who arrived with you to the United States and received an NTA for the same date and time.
- You have the statutory privilege of being represented by an attorney or accredited representative of your choosing who is authorized to practice before the immigration courts of the United States, at no expense to the U.S. Government.
 - o You have been provided with a List of Legal Service Providers, which has information on low cost or free legal service providers practicing near the immigration court where your hearing(s) will take place.
 - A list of legal service providers is also available on the Executive Office for Immigration Review website at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>.
- If you choose to be represented, you may consult with counsel at no expense to the U.S. Government through any available mechanism, including the following, as applicable:
 - o You may consult with your counsel by telephone, email, video conference, or any other remote communication method of your choosing.
 - o You may arrange to consult with your counsel in person at a location in Mexico of your choosing.
 - o On the day of your immigration hearing, you may arrange to meet with your counsel in-person, in the United States, in your assigned immigration hearing facility located at the port of entry, prior to that hearing.

Signature: Morales-Barrera, Hanz Minoldo

X Defore to sign

July 8, 2019

A# [REDACTED]

Migrant Protection Protocols **Initial Processing Information**

- You have been identified for processing under the Migrant Protection Protocols and have been issued a Form I-862 Notice to Appear (NTA) for proceedings before an immigration court where you may apply for all forms of relief available under the Immigration and Nationality Act. Pursuant to U.S. law, including section 240 of the Immigration and Nationality Act and implementing regulations, an immigration judge will determine whether you are removable from the United States, and if you are, whether you are eligible for relief or protection from removal. While you will be able to pursue such relief or protection under the same terms and conditions as any alien in section 240 proceedings, pursuant to U.S. law, you will be returned to Mexico and may not attempt to enter the United States until you return to the appropriate port of entry on the date of your hearing before an immigration judge.
- The NTA provides the date and time of your first hearing before an immigration judge in the United States. The court identified on your NTA is the official court location for filing purposes. On the date of your hearing, you must report to the Gateway to the Americas International Bridge (POE #1) port of entry, at the date and time listed below. Your hearing will take place by teleconference in an immigration hearing facility located at the port of entry. If your case cannot be completed in one hearing, the immigration court will provide you with a Notice of Hearing in Removal Proceedings, indicating the date and time for any subsequent hearings.
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- You should arrive at the port of entry listed above at 9:00:00 AM on [REDACTED] to ensure that you have time to be processed and meet with attorney or accredited representative (if you arrange to be represented during your removal proceedings). If you fail to arrive at the appropriate date and time, you may be ordered removed in absentia.
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 - o When you arrive at the designated port of entry for your hearing, you should bring any minor children or other family members who arrived with you to the United States and received an NTA for the same date and time.
- You have the statutory privilege of being represented by an attorney or accredited representative of your choosing who is authorized to practice before the immigration courts of the United States, at no expense to the U.S. Government.
 - o You have been provided with a List of Legal Service Providers, which has information on low cost or free legal service providers practicing near the immigration court where your hearing(s) will take place.
 - A list of legal service providers is also available on the Executive Office for Immigration Review website at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>.
- If you choose to be represented, you may consult with counsel at no expense to the U.S. Government through any available mechanism, including the following, as applicable:
 - o You may consult with your counsel by telephone, email, video conference, or any other remote communication method of your choosing.
 - o You may arrange to consult with your counsel in person at a location in Mexico of your choosing.
 - o On the day of your immigration hearing, you may arrange to meet with your counsel in-person, in the United States, in your assigned immigration hearing facility located at the port of entry, prior to that hearing.

Signature: [REDACTED]

July 8, 2019

EXHIBIT 6

REDACTED



DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection
MIGRANT PROTECTION PROTOCOLS
Subsequent Hearings Information

MORALES-BARRERA, HANZ MINOLDO

A Number: [REDACTED]

You are currently in proceedings before an immigration court, allowing you to apply for all forms of relief available under the Immigration and Nationality Act. Pursuant to U.S. law, including section 240 of the Immigration and Nationality Act and implementing regulations, an immigration judge will determine whether you are removable from the United States and, if you are, whether you are eligible for relief or protection from removal. While you will be able to pursue such relief or protection under the same terms and conditions as any alien in section 240 proceedings, pursuant to U.S. law, you will be returned to Mexico and may not attempt to enter the United States until you return to the appropriate port of entry on the date of your next hearing before an immigration judge.

At your last court appearance, an immigration judge ordered you to return to court for another hearing. While in court, you were provided a Notice of Hearing in Removal Proceedings indicating the date and time for your next hearing before an immigration judge in the United States. On the date of your hearing, you must report to the Gateway To The Americas, Laredo TX port of entry, at the date and time listed below. Your hearing will take place by teleconference in an immigration hearing facility located at the port of entry.

- You may call the immigration court at 1-800-898-7180 to obtain case status information 24 hours a day, 7 days a week. If you are calling from outside of the United States, you should dial 001-880-898-7180.

You should arrive at the port of entry listed above at 4:30 (a.m./p.m.) on [REDACTED] to ensure that you have time to be processed and meet with attorney or accredited representative (if you arrange to be represented during your removal proceedings). If you fail to arrive at the appropriate time, you may be ordered removed in absentia.

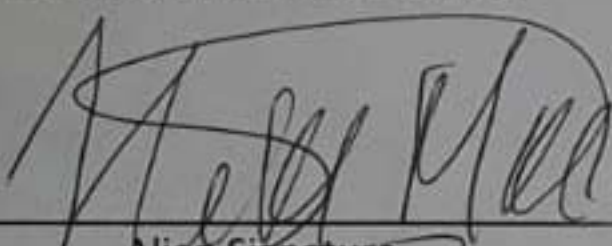
- When you arrive at the designated port of entry for your hearing, you should bring your Notice of Hearing in Removal Proceedings and any available government-issued identification and/or travel documents.
- When you arrive at the designated port of entry for your hearing, you should bring any minor children or other family members who arrived with you to the United States and received an NTA for the same date and time, unless otherwise instructed by a U.S. immigration judge.
- You should also bring your possessions with you in the event you are granted relief and allowed to remain in the United States or are ordered removed from the United States and become subject to removal to your country of origin.

You have the statutory privilege of being represented by attorney or accredited representative of your choosing who is authorized to practice before an immigration court in the United States, at no expense to the U.S. Government.


- You were previously provided with a List of Legal Service Providers, which has information on low cost or free legal service providers practicing near the immigration court where your hearing(s) will take place.
- A list of legal service providers is also available on the Executive Office for Immigration Review website at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>.

If you choose to be represented, you may consult with counsel at no expense to the U.S. Government through any available mechanism, including the following, as applicable:

- You may consult with your counsel by telephone, email, video conference, or any other remote communication method of your choosing.
- You may arrange to consult with your counsel in person at a location in Mexico of your choosing.
- On the day of your immigration hearing, you may arrange to meet with your counsel in-person, in the United States, in your assigned immigration hearing facility located at the port of entry, prior to that hearing.



Alien Signature



Date

Date



DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection
MIGRANT PROTECTION PROTOCOLS
Subsequent Hearings Information

A Number: [REDACTED]

You are currently in proceedings before an immigration court, allowing you to apply for all forms of relief available under the Immigration and Nationality Act. Pursuant to U.S. law, including section 240 of the Immigration and Nationality Act and implementing regulations, an immigration judge will determine whether you are removable from the United States and, if you are, whether you are eligible for relief or protection from removal. While you will be able to pursue such relief or protection under the same terms and conditions as any alien in section 240 proceedings, pursuant to U.S. law, you will be returned to Mexico and may not attempt to enter the United States until you return to the appropriate port of entry on the date of your next hearing before an immigration judge.

At your last court appearance, an immigration judge ordered you to return to court for another hearing. While in court, you were provided a Notice of Hearing in Removal Proceedings indicating the date and time for your next hearing before an immigration judge in the United States. On the date of your hearing, you must report to the Gateway To The Americas, Laredo TX port of entry, at the date and time listed below. Your hearing will take place by teleconference in an immigration hearing facility located at the port of entry.

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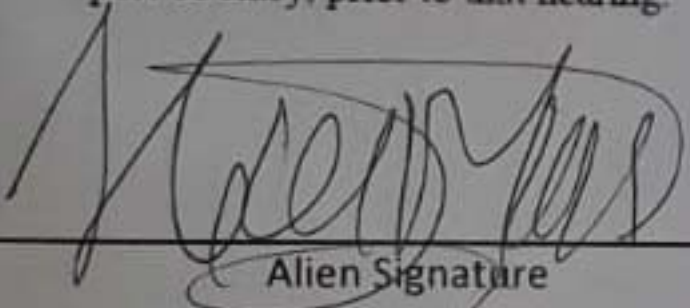
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- When you arrive at the designated port of entry for your hearing, you should bring any minor children or other family members who arrived with you to the United States and received an NTA for the same date and time, unless otherwise instructed by a U.S. immigration judge.
- You should also bring your possessions with you in the event you are granted relief and allowed to remain in the United States or are ordered removed from the United States and become subject to removal to your country of origin.

You have the statutory privilege of being represented by attorney or accredited representative of your choosing who is authorized to practice before an immigration court in the United States, at no expense to the U.S. Government.

- You were previously provided with a List of Legal Service Providers, which has information on low cost or free legal service providers practicing near the immigration court where your hearing(s) will take place.
- A list of legal service providers is also available on the Executive Office for Immigration Review website at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers>.

If you choose to be represented, you may consult with counsel at no expense to the U.S. Government through any available mechanism, including the following, as applicable:

- You may consult with your counsel by telephone, email, video conference, or any other remote communication method of your choosing.
- You may arrange to consult with your counsel in person at a location in Mexico of your choosing.
- On the day of your immigration hearing, you may arrange to meet with your counsel in-person, in the United States, in your assigned immigration hearing facility located at the port of entry, prior to that hearing.



Alien Signature



Date

Date

EXHIBIT 7

REDACTED

DEPARTMENT OF HOMELAND SECURITY
NOTICE OF CUSTODY DETERMINATION

Alien's Name: HANZ MINOLDO MORALES-BARRERA

A-File Number: [REDACTED]

Date: 07/23/2019

Event ID: RGC1907000519

Subject ID: [REDACTED]

FIN: [REDACTED]

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that, pending a final administrative determination in your case, you will be:

☐ Detained by the Department of Homeland Security.

☒ Released (check all that apply):

☐ Under bond in the amount of \$

☐ On your own recognizance.

☒ Under other conditions. [Additional document(s) will be provided.]

CASEY H. ADAMS

Casey H. Adams
Name and Signature of Authorized Officer

07/23/2019 0535

Date and Time of Custody Determination

ACTING PATROL AGENT IN CHARGE

Title

Laredo, Texas

Office Location/Address

You may request a review of this custody determination by an immigration judge.

☒ I acknowledge receipt of this notification, and

☒ I do request an immigration judge review of this custody determination.

☐ I do not request an immigration judge review of this custody determination.

X Refused to Sign
Signature of Alien

07/23/2019

Date

The contents of this notice were read to HANZ MINOLDO MORALES-BARRERA

(Name of Alien)

in the Spanish

(Name of Language)

language

OSCAR ZENTENO JR

[Signature]
Name and Signature of Officer

Name or Number of Interpreter (if applicable)

CBP OFFICER

Title

DEPARTMENT OF HOMELAND SECURITY
NOTICE OF CUSTODY DETERMINATION

Alien's Name: [REDACTED]

A-File Number: [REDACTED]

Date: 07/23/2019

Event ID: RGC1907000519

Subject ID: [REDACTED]

FIN: [REDACTED]

Pursuant to the authority contained in section 236 of the Immigration and Nationality Act and part 236 of title 8, Code of Federal Regulations, I have determined that, pending a final administrative determination in your case, you will be:

☐ Detained by the Department of Homeland Security.

☒ Released (check all that apply):

☐ Under bond in the amount of \$ _____

☐ On your own recognizance.

☒ Under other conditions. [Additional document(s) will be provided.]

CASEY H. ADAMS

Name and Signature of Authorized Officer

07/23/2019 0424

Date and Time of Custody Determination

ACTING PATROL AGENT IN CHARGE

Title

Laredo, Texas

Office Location/Address

You may request a review of this custody determination by an immigration judge.

☒ I acknowledge receipt of this notification, and

☒ I do request an immigration judge review of this custody determination.

☐ I do not request an immigration judge review of this custody determination.

X

Signature of Alien

07/23/2019

Date

The contents of this notice were read to [REDACTED]

(Name of Alien)

in the Spanish

(Name of Language)

language.

ADRIAN PUELLO

Name and Signature of Officer

Name or Number of Interpreter (if applicable)

CBP Officer

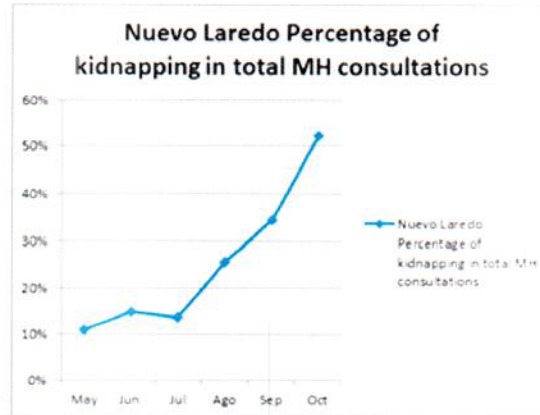
Title

EXHIBIT 8

AFFIDAVIT OF SERGIO MARTIN

1. My name is Sergio Martin. I am the Head of Mission for Doctors without Borders in Mexico. Doctors Without Borders ("DWB") is a medical-humanitarian organization that assists people threatened by armed conflict, violence, epidemics, neglected diseases, natural disasters, and exclusion from medical care.
2. Since 2015, DWB teams in Mexico have provided more than 42,000 medical consultations and over 11,000 mental health consultations to the migrant, refugee, asylum seeker, and deported populations. This includes individuals sent to Mexico through the U.S. Department of Homeland Security's Migrant Protection Protocols ("MPP").
3. Since 2015, DWB teams in Mexico have assisted the migrant population in approximately twenty cities along the migratory route, mainly in shelters located along the route and in mobile clinics near train stations. As part of this project, the organization began working in the city of Nuevo Laredo, Tamaulipas in October 2018.
4. DWB teams conducted surveys of the migrants they treated in these shelters. Respondents overwhelmingly expressed that they fear for their lives in their countries of origin (mostly El Salvador, Guatemala, and Honduras). Migrants also reported that they continue to fear for their lives while in Mexico.
5. Among the 480 migrants DWB teams interviewed in Mexico, 57.3 percent were exposed to some type of violence in Mexico.
6. Approximately 80 percent of the migrants treated by DWB teams in Nuevo Laredo during the first nine months of 2019 reported having suffered at least one violent incident. Another 43.7 percent of patients said they had been victims of violence during the seven days prior to the consultation.
7. In September 2019, 43 percent of DWB's patients who were sent to Nuevo Laredo through the MPP (18 of 41) had suffered a recent episode of kidnapping. Five other MPP patients reported having suffered a failed kidnapping attempt.
8. In October 2019, the percentage of kidnappings of MPP patients increased to 75 percent (33 of the 44 new patients), whereas kidnappings among the total patient population was 52 percent. In other words, MPP patients were at a much higher risk for kidnapping than non-MPP patients. The following graph illustrates the percentage of kidnappings reported during DWB mental health ("MH" consultations).





9. Based on my observations and those of my teams, it is our assessment that Mexico is not a safe place for migrants and refugees fleeing violence.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 20, 2020.

Sergio Martin