**UNITED STATES DISTRICT COURT**
**WESTERN DISTRICT OF WASHINGTON**

R-J-S-V-, an adult,

Petitioner,

v.

JULIO HERNANDEZ, Seattle Field Office Director, Immigration and Customs Enforcement and Removal Operations; DAVID J. VENTURELLA, Acting Director of U.S. Immigration Customs Enforcement; MARKWAYNE MULLIN, Secretary, U.S. Department of Homeland Security; TODD BLANCHE, Acting Attorney General of the United States; BRUCE SCOTT, Warden, Northwest ICE Processing Center; DAREN K. MARGOLIN, Director of Executive Office for Immigration Review.

Respondents.

Case No.:

Agency No. AXXX-XXX-817

**PETITIONER'S DECLARATION IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**



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**PETITIONER'S DECLARATION**
**IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS**

I, R-J-S-V-, under penalty of perjury, do solemnly declare:

1. I have personal knowledge of the facts stated in this declaration and, if called as a witness, could testify truthfully to those facts.

2. I was born in Venezuela in 1994. I fled Venezuela in March 2023 out of fear for my life, intending to seek asylum in the United States. I have been detained at the Northwest ICE Processing Center since October 18, 2025.

3. I have no criminal history either in the United States or in any other country. I have never committed, nor been arrested for or charged with, any crime.

4. I am a Venezuelan citizen and I do not have legal immigration status anywhere but Venezuela. Both of my parents are Venezuelan citizens too, and neither of them are citizens of other countries.

5. I initially entered the United States in August 2023 to seek asylum. I had received numerous death threats in Venezuela and did not feel safe there because of my political opinion and my religion. I was given a credible fear interview. I did not have an attorney helping me to prepare for my credible fear interview and I received a negative credible fear determination. I was removed to Mexico.

6. Still with fear for my life in Venezuela, and because I was unsafe in Mexico, I re-entered the United States in December 2023 and turned myself in to border officials to ask for humanitarian protection in the United States. I was detained and released under an Order of Supervision, which required me to check in with ICE in April 2024.



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7. I attended my ICE check-in in April, 2024. After I moved to Portland, I went to ICE in December 2024 and was given a subsequent check in date for December 2025.

8. In Portland, I developed a community. I worked as an independent contractor, I started attending a church and I fell in love. My partner became pregnant and I was excited we would be having a baby together. Sometime in the spring, we decided we wanted to get married and planned to do so in December of that year.

9. From the time I was released in February 2024 until I was detained in October 2025, ICE never communicated with me regarding attempting to deport me to Venezuela, having a travel document to be able to deport me to Venezuela or a third country, or anything else regarding my potential deportation.

10. On Saturday, October 18, 2025, I was driving my car from my house to go to the store for my fiancée, who was six months pregnant, when I was stopped by ICE officers. I noticed strange vehicles outside when I left my house, and as I was driving, they started following me.

11. I called my partner when the immigration officers started following me and told her what was happening. I was very scared that I could be arrested and deported, so I asked her to call my attorney, Emma Gill. I texted her Ms. Gill's phone number right after they stopped me.

12. One of the ICE officers had a mask on as they approached my car, and they were all armed. The ICE officers asked for my identification and I provided my driver's license. They asked me to get out of my car and then they pushed me up against the car, handcuffed me, and arrested me. They did not tell me why I was being arrested at that time.



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13. The ICE officers put me in the back of a vehicle. They did not tell me where they were taking me.

14. Within an hour of arresting me, the ICE officers drove me to an empty parking lot in Vancouver, Washington, where they processed me for detention, along with four other detainees. They made me turn off my phone. They gave me a list of free lawyers, but I told them I already have my own lawyer. I asked to call her, and they told me no, I had to wait until we got to Tacoma.

15. The ICE officers were rude and aggressive with me; one of them got mad at me and demanded that I look him in the face.

16. An ICE officer spoke to me individually about voluntary departure. I did not fully understand what that would mean, but I am very afraid of being deported.

17. The ICE officer told me that I had been detained because I didn't have papers, because I am undocumented. I responded that I came here to seek asylum and had an order of supervision, and he told me that they eliminated my order of supervision and had paperwork explaining it. They did not tell me why they were revoking my order of supervision or give me any papers at that time.

18. The ICE officers drove me to the Northwest ICE Processing Center ("NWIPC") in Tacoma, Washington.

19. I did not receive the documents regarding the revocation of my order of supervision until a few days after arriving to NWIPC. The documents I received were all in English, so I did not really understand them.

20. I did not have any follow up conversations with ICE regarding my detention or the revocation of my order of supervision after I received these documents.



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21. I waited for over two months in detention before I received my reasonable fear interview. I had to do the interview in two parts, and they ultimately gave me a negative finding on December 29, 2025. My lawyer helped me challenge this decision with an immigration judge, who vacated the negative finding and initiated my withholding-only removal proceedings.

22. I applied for withholding of removal and protection under the Convention Against Torture on February 18, 2026. My case is based on my fear of persecution by the Venezuelan government as well as other persecutors. I am very afraid that the Venezuelan government will retaliate against me for seeking protection from them in the United States, whether that be by causing harm to me or to my loved ones that still live in Venezuela.

23. I presented my case at my hearing on March 9, 2026, but the immigration judge denied my application. My attorney helped me to file an appeal on April 2, 2026. My appeal is still pending with the Board of Immigration Appeals.

24. The next time ICE talked with me about my detention was not until April 2026. On April 3, 2026, a DHS officer called me to speak with him. They did not call my lawyer, even though I told them I was represented. They told me that they were going to consider releasing me on an order of supervision again, and that I needed to talk to my lawyer to submit documents by April 17, 2026. He gave me lots of papers that were all in English, and I could not understand them.

25. After my conversation with the DHS officer, I immediately contacted Ms. Gill and informed her of what the officer had told me.

26. On April 7, 2026, the immigration court scheduled me for a bond hearing on April 21, 2026.



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27. For the whole time I have been in detention, ICE has never talked to me about trying to deport me to a third country. They have not mentioned any specific countries that might take me or asked me to sign anything regarding being sent to another country. ICE has likewise never asked me to provide them with any biographic information that they could use to apply for a travel document or a visa for me to a third country.

28. Because I have been in detention, I was neither able to attend my December 2025 ICE check-in, nor marry my partner in December like we had planned. On January 31, 2026, our daughter was born.

29. It is extremely painful for me to not have been at my daughter's birth and to have been detained for the first months of her life. I have only been able to meet her through video calls with my partner. I have not been able to hold her, and this hurts my heart.

30. I also know that my partner is struggling to raise our baby and support her son on her own. Our plans revolved around us both being there to raise our daughter, for me to support her financially and ensure she was cared for. I have not been able to do any of those things being detained and it is very difficult for me to not be able to support my partner or my child. I know my partner struggled to pay for the apartment where we lived together and I am very worried about her wellbeing and that of our baby.

31. It has been difficult for me in general to be apart from my community. I used to see my sister-in-law and her family regularly, and I spent quite a lot of time with other members of our church. I supported them and they supported me, and I know that they are struggling with my being detained as well.



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I HEREBY DECLARE UNDER PENALTY OF PERJURY PURSUANT TO 28 U.S.C. § 1746 THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated this 12th day of June, 2026, in Tacoma, Washington.

R-J-S-V-

**CERTIFICATE OF SIGHT TRANSLATION**

I, Emma Gill am competent in the Spanish and English languages and I read and translated the foregoing sworn declaration on June 12, 2026, the declarant, R-J-S-V-. The declarant affirmed that the foregoing is true and correct to the best of his knowledge and belief.

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

Executed this 12th day of June, 2026 in Portland, Oregon.

*s/Emma K. Gill*
Emma K. Gill, OSB No. 244154*
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Attorney for Petitioner
*Appearing *Pro Hac Vice*



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