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

DECLARATION OF EMMA GILL IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

INNOVATION LAW LAB
915 Broadway Street, Suite 100
Vancouver, WA 98660
Telephone: +1 503-922-3042

DECLARATION OF EMMA GILL IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

I, Emma Gill, under penalty of perjury, do solemnly declare:

1. My name is Emma Kathryn Gill. I am a licensed attorney and member in good standing of the Oregon State Bar. I am counsel in the above-captioned matter. I submit this declaration in support of Petitioner R-J-S-V-'s Writ of Habeas Corpus. I am 25 years old, and I have personal knowledge of the facts in this declaration. If called upon to do so, I could and would competently testify about them.

2. On October 18, 2025, I learned that my client, R-J-S-V-, had been taken into ICE custody after his partner called me.

3. That same day, I requested a Reasonable Fear Interview ("RFI") on behalf of my client, R-J-S-V- to ICE.

4. I did not have a confidential phone call with R-J-S-V- until October 20, 2025.

5. On October 22, 2025, I requested confirmation from ICE that my RFI request had been received and was being processed. Having received no response, I again requested an update on November 14, 2025, following multiple unanswered phone calls to the ICE Enforcement and Removal Operations ("ERO") office in Tacoma. I did not receive a response from ICE until November 19, 2026, informing me that R-J-S-V-'s RFI request was forwarded to the appropriate parties.

6. I diligently contacted USCIS, the office that administers RFIs, on October 22, November 20, and November 25, 2025, and was repeatedly told the case had not been referred to them.

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7. I contacted ICE again on November 26, 2025, to request an update, and two days later, I received a response indicating that the case officer was still working on the referral.

8. On December 8, 2025, my client informed me that he was told his case had been referred to USCIS. I immediately contacted ICE and USCIS to request an update. USCIS scheduled his Reasonable Fear Interview and did not give me prior notice. I contacted USCIS the morning of his first Reasonable Fear Interview, after learning from my client this was his interview date, and I received a response from USCIS a few hours before the interview confirming the date, but not the time.

9. My client was given his Reasonable Fear Interview in two parts, on December 11 and 15, 2025.

10. On December 29, 2025, my client and I received his negative fear determination. I promptly prepared and filed with the immigration court a motion to vacate the agency's negative determination.

11. On January 13, 2026, an immigration judge vacated USCIS' decision, finding that R-J-S-V- had met his burden to establish a reasonable possibility of persecution on the basis of a protected ground, or a reasonable possibility that he would be tortured in Venezuela. The immigration judge placed R-J-S-V- in withholding-only proceedings accordingly.

12. On February 18, 2026, I filed my client's application for withholding of removal and protection under the Convention Against Torture.

13. The immigration court held a hearing on the merits of R-J-S-V-'s applications on March 9, 2026, where the immigration judge denied both applications.

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14. On April 2, 2026, I timely filed a notice of appeal with the Board of Immigration Appeals to appeal the denial of my client's applications. As of the date this declaration was executed, this appeal remains pending. A true and correct copy of the Filing Receipt issued by the Board of Immigration Appeals for R-J-S-V-'s pending appeal of the denial of his applications for withholding of removal and protection under the Convention Against Order (dated April 2, 2026) is attached herein as Exhibit 1.

15. In the evening on Friday, April 3, 2026, R-J-S-V- contacted me to tell me ICE told him they would be evaluating his case for the possibility of release. He told me he was given a deadline of April 17, 2026, to submit evidence that he is not a danger or flight risk.

16. I contacted ICE the next day, April 4, 2026, to request copies of the documents my client told me he received, as well as contact information for R-J-S-V-'s assigned ICE officer. I included a signed Form G-28, Notice of Entry of Appearance as Attorney.

17. The week of April 7, I learned that EOIR had scheduled my client for a bond hearing, set for April 21, 2026.

18. On April 16, 2026, I again requested that ICE provide me with a copy of the documents they had served on R-J-S-V-, again including my G-28 and reminding them that I already had a G-28 on file with their office.

19. On April 17, 2026, having not received a response from ICE, I provided documents in support of my client's release for his custody review to ICE.

20. I only received one response from ICE on April 20, 2026, confirming receipt of those documents. I requested updates regarding this custody assessment on May 8 and 28, 2026, and have not received a response from ICE as of the date of this declaration.

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21. On April 21, 2026, the immigration court held a *Martinez-Baños* bond hearing, where I presented 59 pages of evidence and legal arguments in support of R-J-S-V-'s release. Regardless, the immigration judge denied bond on the basis of a flight risk finding. I filed a Notice of Appeal of the decision to deny bond on May 12, 2026, with the Board of Immigration appeals, and that appeal remains pending as of the date of this declaration.

22. At no point during my representation of R-J-S-V- has any DHS officer indicated to me that DHS has an intention to try to remove R-J-S-V- to any country other than his country of origin, Venezuela.

23. Attached herein as Exhibit 2 is a true and correct copy of DHS Form I-213 (dated October 18, 2025).

24. Attached herein as Exhibit 3 is a true and correct copy of DHS Form I-220B, Order of Supervision (dated February 28, 2024).

25. Attached herein as Exhibit 4 is a true and correct copy of the Notice of Revocation of Release (dated October 18, 2025).

26. Attached herein as Exhibit 5 is a true and correct copy of Petitioner's employment authorization document, valid until February 20, 2026.

27. Attached herein as Exhibit 6 is a true and correct copy of the Form I-200 Warrant for Arrest of Alien issued by DHS for Petitioner (dated October 18, 2025).

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 18th day of June, 2026, in Portland, Oregon.

s/Emma K. Gill

Emma K. Gill, OSB No. 244154*
emma@innovationlawlab.org

INNOVATION LAW LAB
915 Broadway Street, Suite 100
Vancouver, WA 98660
Telephone: +1 503-922-3042

Attorney for Petitioner
*Appearing *Pro Hac Vice*

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