

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

HERITIER TWIZERE,

Petitioner,

v.

MARCELLO VILLEGAS,

Respondent.

Civil Action No. 1:25-CV-00077-H

APPENDIX IN SUPPORT OF RESPONSE IN OPPOSITION

COME(S) NOW Respondent(s), by and through the United States Attorney for the Northern District of Texas, and pursuant to Local Rule 7.1(i), file this separate, self-contained Appendix, consisting of Exhibit A and Attachments 1-6 in support of Respondent's Response in Opposition.

<u>Tab</u>	<u>Exhibit</u>	<u>Page(s)</u>
A.	Declaration of Aaron Nation	APP. 001-005
1.	Dallas Police Report, Incident #159036-2019 (Aug 20, 2019).....	APP. 006-012
2.	Order of Deferred Adjudication, <i>The State of Texas v. Heritier Twizere</i> , Cause No. F-23-00611, Dallas County, Texas (Sep 25, 2023).....	APP. 013-019
3.	Department of Homeland Security, <i>Notice to Appear (DHS Form I-862)</i> (Dec 4, 2023).....	APP. 020-023
4.	U.S. Department of Justice, Executive Office for Immigration Review, Dallas Immigration Court,	

Amended Order of the Immigration Judge (Mar 28, 2024)..... APP. 024-030

5. U.S. Department of Justice, Executive Office for Immigration Review, Board of Immigration Appeals, *Decision from Board of Appeals* (Aug 22, 2024)..... APP. 031-035
6. U.S. Department of Justice, Executive Office for Immigration Review, El Paso SPC Immigration Court, *Order of the Immigration Judge* (May 13, 2025)..... APP. 036-038

Respectfully submitted,

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/s/ Ann E. Cruce-Haag
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CERTIFICATE OF SERVICE

On June 20, 2025, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

/s/ Ann E. Cruce-Haag
ANN E. CRUCE-HAAG
Assistant United States Attorney

EXHIBIT A

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Case No. 1:25-CV-00077-H

DECLARATION OF AARON NATION

In accordance with the provisions of Section 1746 of Title 28, United States Code, I, the undersigned, Aaron Nation, do hereby make the following declaration, under penalty of perjury in the above-styled and numbered cause:

1. I, Aaron Nation, am presently employed by the United States Department of Homeland Security (“DHS” or the “Department”), Immigration and Customs Enforcement (“ICE”), in the position of Deportation Officer.
2. My duties as a Deportation Officer include the review of alien files and monitoring the custody status of aliens who have a final order of removal. In carrying out this duty, I am responsible for monitoring the progress of obtaining travel documents necessary for removing aliens to the designated country of removal. As a Deportation Officer, I have access to records maintained in the ordinary course of business by ICE.

3. I am presently the Deportation Officer assigned to the case of Heritier TWIZERE, alien file number [REDACTED] a native of the Democratic Republic of the Congo (“DRC”) and a citizen of Rwanda. My involvement with TWIZERE’s case has included monitoring his detention history, seeking to obtain travel documents, and reviewing custody determinations made in his case.
4. On or about August 6, 2019, the Dallas police department arrested TWIZERE for aggravated sexual assault of a child under 14 years old. On or about September 21, 2023, TWIZERE pled guilty to a reduced charge of injury to a child with intent of bodily injury. The court sentenced TWIZERE to five years of deferred adjudication probation.
5. On December 4, 2023, TWIZERE was placed into immigration proceedings with the issuance of a Notice to Appear. On March 27, 2024, an immigration judge ordered that TWIZERE be removed to the DRC, and in the alternative, to Rwanda. On August 22, 2024, the Board of Immigration Appeals dismissed TWIZERE’s appeal. On May 8, 2025, TWIZERE filed a motion for bond with the immigration court. On May 13, 2025, the Immigration Judge dismissed the motion finding the court had no jurisdiction to grant a bond. The case was then sent to Enforcement and Removal Operations (“ERO”) for execution of the removal order.
6. On or about September 12, 2024, ERO received TWIZERE’s file and began working on a travel document request to the DRC. When TWIZERE entered the

United States, his refugee documents stated he was born in the DRC, and the documents included TWIZERE's Rwandan refugee card.

7. On or about November 20, 2024, the travel document packet was forwarded to Headquarters Removal International Operations ("HQ RIO") for review, and on February 17, 2025, the travel document request packet was sent to the DRC Consulate.
8. On or about March 11, 2025, a telephonic interview of TWIZERE was scheduled with the DRC Consulate. On March 12, 2025, that interview took place and was completed.
9. On or about May 16, 2025, the DRC Embassy informed HQ RIO that TWIZERE told them he was Rwandan. The Embassy officials therefore declined to issue travel documents. HQ RIO has requested that the Embassy officials reconsider this decision.
10. On or about May 21, 2025, HQ RIO and the Dallas ERO Field Office began working on a travel document request to be sent to the Rwandan Embassy. On May 27, 2025, the travel document request was sent to the Rwandan Embassy and was received at the Embassy on June 2, 2025. The travel document request packet included TWIZERE's Rwandan refugee card, which contains TWIZERE's name and photograph.
11. I believe TWIZERE will be removed in the reasonably foreseeable future. ERO submitted a travel document request to the Embassy of Rwanda that contained a

copy of TWIZERE's Rwandan refugee card. ERO has therefore submitted strong evidence of TWIZERE's Rwandan citizenship.

12. Based on Rwanda's acceptance of flights, and the record of acceptance of Rwandan citizens to Rwanda, I believe TWIZERE's removal is significantly likely in the reasonably foreseeable future.

Sworn to and subscribed this 6th day of June 2025.

Aaron Nation

Aaron Nation
Deportation Officer
Department of Homeland Security
Immigration and Customs Enforcement