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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

PEDRO JOAQUIN AVILES-MENA

Plaintiff,

vs.

POLLY KAISER, Acting Field Office Director
of the San Francisco Immigration and Customs
Enforcement Office; TODD LYONS, Acting
Director of United States Immigration and
Customs Enforcement; KRISTI NOEM,
Secretary of the United States Department
of Homeland Security, PAMELA BONDI,
Attorney General of the United States, acting
in their official capacities,

Defendant

Case No.: 3:25-CV-06783

**DECLARATION OF JULIO J. RAMOS IN
SUPPORT OF WRIT OF HABEAS CORPUS
AND TEMPORARY RESTRAINING ORDER**

DECLARATION OF JULIO J. RAMOS IN SUPPORT OF WRIT OF HABEAS CORPUS AND TEMPORARY
RESTRAINING ORDER- 1

DECLARATION OF ATTORNEY JULIO J. RAMOS

I, Julio J. Ramos, declare:

1. I am counsel for Petitioner Pedro Joaquín Aviles-Mena in this action. I have personal knowledge of the facts below, and confirmed them through my own investigation and review of records as described. If called, I could testify competently thereto. I admitted to the bar of this court and in good standing.

2. On August 9, 2025 about 11:00 a.m., I spoke by telephone with Margarita Mercedes Carazo, Petitioner Aviles-Mena's fiancée. She provided her contact information and indicated that Mr. Aviles-Mena was in ICE custody after appearing for a routine ICE check-in on August 8, 2025.

3. On August 8, 2025 at about 3 pm, Ms. Carazo appeared in person at my office, by coincidence she received a phone-call from Petitioner in that call Mr. Aviles Mena confirmed that he was in ICE-ERO custody at 630 Sansome Street, San Francisco CA 94104. He informed his fiancée that he was detained in a cell like room with 5 other individuals, he confirmed to me that he desired my legal services to free him from ICE-ERO custody if possible.

4. Mr. Aviles Mena fiancée gave me a copy of Petitioner's Immigration file that she obtained from "Iscandari & Asociados / Iscandari Law Group / Oficinas Legales de M. Alieu Iscandari," with office at 333 Hegenberger Road, Suite 503, Oakland, CA 94621, telephone (341) 800-3123, email info@izcanlaw.com. (The client intake lists "Pedro Aviles," address 44 Alexander Ave., Daly City, CA 94014, and phone 415-713-3700.). Exhibits A-D attached hereto were obtained from the copy of the file indicating it was compiled by the Iscandari Law Offices that office confirmed representing the Petitioner in his affirmative asylum case.

6. I personally reviewed the documents contained in the Iscandari file now filed as exhibits A-D to this declaration, including:

- USCIS "Notice of Dismissal of Form I-589" (June 5, 2025) stating DHS apprehended Mr. Aviles-Mena, placed him in expedited removal, and issued a Form I-860, with referral to a

DECLARATION OF JULIO J. RAMOS IN SUPPORT OF WRIT OF HABEAS CORPUS AND TEMPORARY RESTRAINING ORDER- 2

1 credible-fear process; A true and correct copy attached as Exhibit A to the Declaration of Julio J.
2 Ramos.

- 3 • ICE “Interim Notice Authorizing Parole” (May 23, 2022) and Personal Report Record entries
4 reflecting prior reporting; A true and correct copy attached as Exhibit B to the Declaration of Julio
5 J. Ramos.
- 6 • USCIS I-589 Receipt (May 22, 2023), ASC Biometrics Notice (June 15, 2023), and EAD Approval
7 (C08) valid 11/29/2023–11/28/2028); A true and correct copy attached as Exhibit C to the
8 Declaration of Julio J. Ramos. and
- 9 • 2024 Form 1040 showing wages and a California address. A true and correct copy attached as
10 Exhibit D to the Declaration of Julio J. Ramos.

11 7. I rely on the above referenced documents to state that Mr. Aviles Mena has been
12 continually present in the United States for more than two years.

13 8. Mr. Aviles Mena faces immediate deportation if judicial intervention in the form
14 of a writ of habeas corpus is not granted and a Temporary Restraining Order and Preliminary Injunction
15 restoring him to an asylum applicant in non-detained status is not restored pending the merits of this case.

16 9. Mr. Aviles Mena is a citizen of Nicaragua, fleeing the political persecution he
17 confronts upon being returned to Nicaragua for participating in peaceful protests against the Nicaraguan
18 government. His asylum declaration asserts that he was shot with a rubber bullet in his foot. Consequently,
19 government affiliated groups harassed and intimidated to a degree that living a normal life in his country
20 was not possible. If he were returned to Nicaragua his liberty and life are at risk causing him irreparable
21 harm. *See* Nicaragua State Department Report 2023 “Significant human rights issues included credible
22 reports of: arbitrary or unlawful killings, including extrajudicial killings; enforced disappearance; torture
23 or cruel, inhuman, or degrading treatment or punishment by prison guards and parapolice; harsh and life-
24 threatening prison conditions; arbitrary arrest or detentions; serious problems with the independence of the
25 judiciary” at p.1 “There was no indication the government investigated crimes committed by police and
26 parapolice groups related to the 2018 prodemocracy uprising that began due to discontent with a
27 government decision to reduce social security benefits. The conflict led to the killing of hundreds of
28 peaceful protesters, illegal detention and torture of hundreds more, and thousands being forced into hiding
or going into exile in neighboring countries. The Ortega government continued its policy of “exile, jail, or
DECLARATION OF JULIO J. RAMOS IN SUPPORT OF WRIT OF HABEAS CORPUS AND TEMPORARY
RESTRAINING ORDER- 3

1 death” for anyone perceived as opposing its rule, applying amended terrorism laws to prodemocracy
2 activities, and using the justice system to prosecute and imprison civil society actors as terrorists, assassins,
3 and coup mongers.” at. p.4. A true and correct copy of the State Department Human Rights Report for
4 Nicaragua 2023 attached hereto as Exhibit E.

5 10. Prior to filing the ex parte application for TRO I called via telephone Elizabeth Kurlan
6 Assistant United States Attorney to inform her of the filing of a verified petition for writ of habeas corpus
7 in this matter at about 2:50 pm. I informed her that I had emailed her an electronic filed stamped copy of
8 the Writ and supporting papers along with a Notice of Motion for Ex Parte Temporary Restraining Order
9 that had yet to be filed. I gave her my telephone number and requested that she contact me if she required
10 any further information. Ms. Kurlan requested that I email her a filed stamped copy of the Ex Parte Motion
11 which I emailed to her at about 3:20 pm.

12 11. At about 12 noon today August 10, 2025 I was informed by Christian Hernandez that
13 he had visited the Petitioner Aviles Mena at 630 Sansome Street in San Francisco California in person.

14 I declare under penalty of perjury under the laws of the United States that the foregoing is
15 true and correct.
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18 /s/ Julio J. Ramos
19 Julio J. Ramos (SBN. 189944)
20 LAW OFFICES OF JULIO J. RAMOS
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