

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Francisco Javier Tiburcio Garcia,

Petitioner,

v.

Pamela Bondi, Attorney General;

Kristi Noem, Secretary, U.S. Department of
Homeland Security,

Department of Homeland Security;

Todd M. Lyons, Acting Director of
Immigration and Customs Enforcement,

Immigration and Customs Enforcement,

Sirce Owen, Acting Director for Executive
Office for Immigration Review,

Executive Office for Immigration Review,

Peter Berg, Director, Ft. Snelling Field Office
Immigration and Customs Enforcement,

and,

Joel L. Brott, Sheriff of Sherburne County.

Respondents.

Civil Case No. 25-03219

**DECLARATION OF
CLARA FLEITAS-
LANGFORD IN SUPPORT
OF FRANCISCO JAVIER
TIBURCIO GARCIA'S
PETITION FOR WRIT OF
HABEAS CORPUS**

I, Clara Fleitas-Langford, being first duly sworn upon oath, depose and state as follows:

1. I am an attorney licensed in Minnesota. My attorney's license number is 0504106. My place of business is Wilson Law Group, 3019 Minnehaha Avenue, Minneapolis, MN 55406. My direct phone number is 612-436-7125.
2. I am admitted to practice before the US District Court of Minnesota. My admission is in good standing.
3. I am not subject to any pending disciplinary proceeding or any restriction on my capacity to practice law.
4. I attach as Exhibit A a true and correct copy of Memo of Todd Lyons.
5. I attach as Exhibit B a true and correct copy of a true and correct copy of the United States Department of Homeland Security *Form I-862, Notice to Appear* dated July 25, 2025.
6. I attach as Exhibit C a true and correct copy of the United States Department of Homeland Security, *Form I-213, Record of Deportable/Inadmissible Alien* dated July 25, 2025.
7. I attach as Exhibit D a true and correct copy of Petitioner's bond request filed with the Immigration Court on August 3, 2025.
8. I attach as Exhibit E a true and correct copy of the Department of Justice, Executive Office for Immigration Review, Fort Snelling Immigration Court, Order and Decision of the Immigration Judge dated August 5, 2025, denying bond.
9. I attach as Exhibit F a true and correct copy of the Notice of Bond Appeal filed before the Board of Immigration Appeals on August 7, 2025.
10. I attach as Exhibit G a true and correct copy of the Immigration and Customs Enforcement, Interim Guidance Regarding Detention Authority for Applicants for Admission (July 8, 2025).

11. I attach as Exhibit H a true and correct copy of the relevant sections of H.R. Rep. No. 101-469 Part 1 (1996).
12. I attach as Exhibit I a true and correct copy of Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 FR 10312, 10323, 62 FR 10312-01, 10323 (March 6, 1997).
13. I attach as Exhibit J a true and correct copy of Immigration and Customs Enforcement Policy No: 11088.1 Implementation of Migrant Protection Protocols (February 12, 2019).
14. I attach as Exhibit K a true and correct copy of the INS Memorandum of Detention Guidelines, Effective October 9, 1998, AILA Doc No. 98100791.
15. I attach as Exhibit L a true and correct copy of Immigration and Customs Enforcement ERO 11301.1 Bond Management Handbook (August 19, 2014).
16. I attach as Exhibit M, a true and correct copy of a July 7, 2025, custody determination rendered by Fort Snelling Immigration Judge Monte Miller granting bond to a man who had been present in the United States for more than a decade without inspection or parole.
17. I attach as Exhibit N, a true and correct copy of a July 9, 2025, custody determination rendered by Fort Snelling Immigration Judge Monte Miller denying bond to a man who had been present in the United States for more than a decade without inspection or parole based on 8 U.S.C. § 1225(b)(2)(A).
18. I attach as Exhibit O, a true and correct copy of a July 15, 2025, custody determination rendered by Fort Snelling Immigration Judge Kalin Ivany denying bond to a man who had been present in the United States for more than a decade without inspection or parole based on 8 U.S.C. § 1225(b)(2)(A).
19. I attach as Exhibit P, a true and correct copy of a July 29, 2025, custody determination rendered by Fort Snelling Immigration Judge Kalin Ivany denying bond to a man who had been present in the United States for

more than a decade without inspection or parole based on 8 U.S.C. § 1225(b)(2)(A).

20. I attach as Exhibit Q, a true and correct copy of an August 11, 2025, memorandum of law and order granting bond from an Annandale Immigration Judge, granting bond for a man who has been present in the United States for more than a two decades with inspection or parole.

I hereby declare under penalty of perjury that everything in this declaration is true and correct.

Dated: August 12, 2025

/s/ Clara Fleitas-Langford
Clara E. Fleitas-Langford, Esq.
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