

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 25-03219

Francisco Javier TIBURCIO-Garcia)
)
)
 Plaintiff,)
)
)
 v.)
)
)
Pamela Bondi, Attorney General; Kristi Noem,)
Secretary, U.S. Department of Homeland Security;)
Department of Homeland Security; Sirce Owen,)
Acting Director for Executive Office for Immigration)
Review; Todd M. Lyons, Acting Director of)
Immigration and Customs Enforcement; Immigration)
& Customs Enforcement; Sirce Owen, Acting)
Director for Executive Office for Immigration)
Review; Executive Office for Immigration Review;)
Samuel J. Olson, Director, St. Paul Field Office)
Immigration and Customs Enforcement; and Joel L.)
Brott, Sheriff of Sherburne County;)
)
)
 Respondents.)

**DECLARATION OF
SUPERVISORY
DETENTION AND
DEPORTATION OFFICER
RICHARD N. PRYD JR**

Richard N. Pryd Jr, Supervisory Detention and Deportation Officer, United States Immigration and Customs Enforcement (“ICE”), Department of Homeland Security, for his declaration under 28 U. S. C. § 1746 hereby states as follows:

1. The following declaration is based on a review of the Subject’s alien file, statements, and e-mails.

2. I have been employed with ICE, Enforcement and Removal Operations (ERO) since October 17, 2007. On November 6, 2022, I was promoted to Supervisory Detention and Deportation Officer (SDDO).
3. As an SDDO, I supervise Deportation Officers (DO) assigned to the Custody Management Unit at the St. Paul Field Office (ERO St. Paul). My duties include assigning case work and monitoring detained cases and dockets within SPM's responsibility to ensure detention, release and removal of aliens is lawful and within ICE policy.
4. Francisco Javier TIBURCIO-Garcia (Hereinafter referred to as "TIBURCIO") is a citizen and national of Mexico. TIBURCIO's first confirmed recorded entry to the United States was on March 26, 2006, at the Laredo, TX, port of entry on an H2B-class non-immigrant visa. U.S. Customs & Border Protection admitted TIBURCIO until December 25, 2006.
5. On December 22, 2006, TIBURCIO departed the U.S. for Mexico by air aboard a flight from Dallas, TX, to Mexico City, Mexico.
6. On April 30, 2007, the U.S. Department of State/U.S. Consulate at Monterrey, Mexico, refused TIBURCIO's application for a new H2B visa. The visa refusal notes suggest that TIBURCIO was a "no show" for his visa application interview.
7. On May 14, 2007, U.S. Border Patrol (USBP) encountered TIBURCIO near Hebbronville, TX, after he illegally entered the U.S. without inspection via the Rio Grande River. USBP processed TIBURCIO by Voluntary Return to Mexico.
8. On an unknown date and place, TIBURCIO subsequently illegally re-entered the

U.S. without inspection.

9. On July 25, 2025, USBP in Grand Forks, ND, arrested TIBURCIO. TIBURCIO was again offered a voluntary return to Mexico during this detention. However, TIBURCIO declined a voluntary return on this occasion and USBP issued him a Notice to Appear, Form I-862, alleging inadmissibility pursuant to 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the Immigration & Nationality Act.

10. On August 5, 2025, an immigration judge at Fort Snelling, MN, denied bond in TIBURCIO's case, finding that the immigration judge did not have jurisdiction to grant a bond. TIBURCIO reserved appeal on the bond decision.

11. On August 7, 2025, TIBURCIO appealed the immigration judge's bond order to the Board of Immigration Appeals (BIA). That appeal currently remains pending.

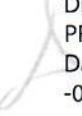
12. TIBURCIO is next scheduled to appear in Immigration Court on August 26, 2025, at which time TIBURCIO is due to tender pleadings on the charges in his immigration case.

13. At present, TIBURCIO has not filed for any form of relief or protection from removal from the United States.

14. ICE agrees not to move Petitioner out of the District of Minnesota until after the resolution of the pending habeas matter, with one caveat: in the event of unforeseen circumstances or contingencies, consistent with Petitioner's original request, ICE reserves the option, with 72 hours' notice, to apply to the Court for permission to withdraw from this commitment and move the Petitioner, as permitted or required by such exigencies.

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

RICHARD N
PRYD JR

Digitally signed by RICHARD N
PRYD JR
Date: 2025.08.18 13:46:53
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Richard N. Pryd Jr, SDDO
U.S. Immigration and Customs Enforcement

DATED: August 18, 2025