

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 25-CV-3432 (JRT/LIB)

Pedro Rodrigo RODAS RODAS,

Plaintiff,

v.

**DECLARATION OF
DEPORTATION OFFICER
XIONG LEE**

Pamela Bondi, Attorney General, et al.,

Defendants.

Xiong Lee, Deportation Officer, United States Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS), for his declaration under 28 U.S.C. § 1746 hereby states as follows:

1. The following declaration is based on a review of the Plaintiff's alien file, official records checks, and information relayed to me by other officials.

2. I am and have been employed with DHS since May 29, 2007. I began my career as an Immigration Enforcement Agent. On September 20, 2015, I was promoted to Deportation Officer, my current position.

3. As a Deportation Officer, my assigned duties are to identify, locate, and arrest aliens illegally present in the United States. Additionally, I am charged with the responsibility of overseeing the cases of aliens in removal proceedings. These duties include the review of alien files for sufficiency, the detention and release of aliens in ICE custody, monitoring the progress of cases through the hearing process, and enforcement of the immigration court's decision, including the execution of removal orders. I am also responsible for presenting criminal immigration cases to the United States Attorney's

Office for possible criminal prosecution.

4. Pedro Rodrigo RODAS RODAS (Hereinafter referred to as “RODAS”) is a citizen and national of Guatemala.

5. On December 14, 2018, United States Border Patrol (USBP) in Hidalgo, Texas, encountered RODAS at or near Hidalgo, Texas. RODAS was interviewed by USBP and it was determined that RODAS was illegally present in the United States. USBP identified RODAS as an unaccompanied minor child (UAC).

6. On December 14, 2018, USBP issued RODAS a Notice to Appear (Form I-862), charging him under 212(a)(6)(A)(i) of the INA, as amended for being an alien present in the United States without being admitted or paroled, or who arrived in the United States as any time or place other than as designated by the Attorney General. A true and correct copy of the NTA dated December 14, 2018, is attached as **Exhibit A**.

7. On March 1, 2019, RODAS was reunited with his non-primary caregiver and released on an order of recognizance.

8. On February 20, 2022, RODAS was charged with Bribery in violation of Nebraska State Law Section 28-201(1)(b), a class I Misdemeanor, no Operator’s License, in violation of Section 60-484(1), a class III Misdemeanor and Speeding, in violation of Section 60-6, 186(1)(f), an infraction. On May 10, 2022, RODAS plead guilty to all counts was fined and given a jail sentence of one day with credit for one day served. A true and correct copy of RODAS’s conviction record last updated on July 30, 2025, is attached as **Exhibit B**.

9. On July 10, 2025, ICE agents were conducting surveillance on a private residence in Blaine, Minnesota. RODAS was present at that residence and taken into custody due to his criminal history. A true and correct copy of RODAS's Record of Deportable/Admissible Alien Form I-213 detailing his personal history and summary of arrest is attached as **Exhibit C**.

10. On the same date, July 10, 2025, RODAS was transported to the ICE office in Fort Snelling, Minnesota, for processing. A true and correct copy of the form I-286 Notice of Custody Determination issued to RODAS on July 10, 2025, is attached as **Exhibit D**.

11. On July 10, 2025, a Warrant for Arrest of Alien (I-200) was issued a true and correct copy of the Warrant for Arrest of Alien dated July 10, 2025, is attached as **Exhibit E**.

12. On July 29, 2025, U.S. Citizenship and Immigration Services (USCIS) issued a "Notice of Forwarding of Form I-589 to EIOR," notifying RODAS that his I-589 application for asylum will be heard in Immigration Court. USCIS had previously issued an undated letter to RODAS notifying him that USCIS found him to not meet the requirements for asylum in the USCIS' initial jurisdiction to review of his application.

13. On the same date, July 29, 2025, ICE issued a Form I-261 providing RODAS with additional grounds for inadmissibility and deportability. Attached as **Exhibit F** is a true and correct copy of RODAS's Form I-261.

14. On July 30, 2025, RODAS filed a bond redetermination request. On that same

day an Immigration Judge (IJ) at Fort Snelling, MN granted RODAS bond at \$1,500. A true and correct copy of the IJ's bond order dated July 30, 2025, is attached as **Exhibit G**.

15. On July 30, 2025, DHS filed a Form EOIR-43 "Notice of ICE Intent to Appeal Custody Redetermination" and filed a "Notice of Appeal" on August 6, 2025, with the Board of Immigration Appeals. That appeal is pending. A true and correct copy of the Form EOIR-43 dated July 30, 2025, is attached as **Exhibit H**.

16. On August 6, 2025, ICE filed a Form EOIR-26 with the Board of Immigration Appeals in connection with the July 30, 2025 bond decision. Attached as **Exhibit I** is a true and correct copy of the Form I-261 dated August 6, 2025.

17. On August 26, 2025, the IJ issued a bond redetermination granting bond in the amount of \$1,500.00. A true and correct copy of the IJ's bond redetermination order dated August 26, 2025, is attached as **Exhibit J**.

18. RODAS remains in DHS's detention in Freeborn County Jail in Albert Lea, Minnesota, pending the resolution of DHS's appeal of RODAS's bond decision and pending the removal proceedings. RODAS is still currently in proceedings.

19. ICE agrees not to move Petitioner out of the District of Minnesota until after September 19, 2025, or the resolution of the pending habeas matter, whichever comes earlier, with one caveat: in the event of unforeseen circumstance or contingency 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.

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

Digitally signed by
XIONG LEE
Date: 2025.09.09
14:04:44 -05'00'

Xiong Lee, Deportation Officer
U.S. Immigration and Customs Enforcement

DATED: September 9, 2025