


FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

From:

Dmytro Derevianko A 
Otero County Processing Center
26 McGregor Range Road
Chaparral, New Mexico 88081

To:

United States District Court
District of New Mexico
Office of the Clerk
Suite 270
333 Lomas Blvd., N.W.
Albuquerque, New Mexico 87102

SEP 05 2025

MITCHELL R. ELFERS
CLERK

**ARGUMENTS OF UNINTENTIONAL VIOLATION THE IMMIGRATION LAW
OF THE UNITED STATES**

On March 5, 2025, I went for a delivery at 303 N Oregon Street, El Paso, Texas, 79901, located about half a mile from the Mexican border. At the warehouse, I was told to return in four hours. I left the premises, but my GPS navigation mistakenly directed me to the wrong exit. Realizing the mistake, I stopped immediately, turned on my hazard lights, and had no intention of crossing the border. At that moment, checkpoint officer approached me, apparently called from the Mexican side. I asked the officer at the checkpoint where I could turn around without violating the traffic rules and explained that I could not leave U.S. territory and had no intention of going to Mexico. I am familiar with the rules of the "U4U" humanitarian program and understand that if I intend to leave and re-enter the United States under this program, I will be required to file a special form with USCIS and have my entry approved for re-parole and re-entry. The officer instructed me to follow him. I complied, and he directed me back, ultimately leading me into Paso Del Norte Port of Entry (1000 S. El Paso Street, El Paso, TX 79901) on the United States side, where I was detained.

I would like to explain to the Court that this was an accidental mistake and that we had no intention of leaving the United States and entering Mexico.

1. I was sure that by making the U-turn, which the officer had shown me, I would not violate the "U4U" humanitarian program or any other immigration laws. The officer told me that by making a U-turn in the place, which he had shown me, I not leaving the territory the United States and that I not violating the traffic rules.
2. I had no reason to leave the United States because the US government provided me with protection from the war in my home country Ukraine, as well as all the legal documents (SSN, EAD, Driver License).

3. I have never received and do not intend to receive the refugee status in Mexico. I have no friends, acquaintances or relatives there. I have no housing, no job or car there.
4. We did not intend to leave the United States which is why we did not have money or personal items meant for travel. In the car there were only materials necessary for delivery.
5. I am employed at a well-paid legal job and have a good relationship with my employer.
6. I was driving a company car and had to be at a new location that day to pick up a new batch of goods for delivery.
7. I have contacted the Mexican Embassy and they are willing to provide information that I have never crossed the Mexican border if the Court makes an official request on this matter.

I have never broken the law and have no criminal record.

I declare under penalty of perjury that the foregoing is the true and correct best to my knowledge.

The rules of the "U4U" humanitarian program do not state that if a participant in this program unintentionally crossed the border, he will be detained for an indefinite period and deported to Ukraine without the right to appeal this decision in court.

As of September 01, 2025, I have been in custody for 180 days.

I ask the Court:

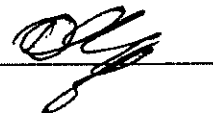
- Please review as soon as possible the lawfulness of my detention and reasonableness of CBP and ICE's decision to deport me to Ukraine.
- To cancel the order of my deportation and issue order for my immediate release from custody;
- Return to me all my personal documents and passport so that if necessary for any personal reasons I can voluntarily leave the United States.

Sincerely,

Dmytro Derevianko A-

Date 09/02/25

Signature



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MITCHELL K. ELLERS
CLERK

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