

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA

3 CASE NO. 25-CV-61814-RS

4 YOEL PITALUGA and DAYAMI ROLDAN, Fort Lauderdale, Florida
5 Petitioners, September 25, 2025
6 vs. 1:31 p.m. - 2:47 p.m.

7 GARRETT RIPA, MIAMI ICE FIELD
8 DIRECTOR, et al.,

9 Respondents. Pages 1 - 69

10 -----
11 ORAL ARGUMENT RE: MOTION FOR ORDER TO SHOW CAUSE, EXPEDITED
12 CONSIDERATION, AND STAY OF REMOVAL BY YOEL PITALUGA NUÑEZ
13 BEFORE THE HONORABLE RODNEY SMITH
14 UNITED STATES DISTRICT JUDGE

15 APPEARANCES:

16 FOR THE PETITIONERS: FELIX ALBERTO MONTANEZ, ESQUIRE
17 Preferential Option Law Offices, LLC
18 P.O. Box 60208
19 Savannah, Georgia 31420
20 felix.montanez@preferentialoption.com

21 FOR THE RESPONDENTS: KELSI R. ROMERO, ESQUIRE
22 United States Attorney's Office
23 500 East Broward Boulevard
24 Suite 700
25 Fort Lauderdale, Florida 33394
kelsi.romero@usdoj.gov

REPORTED BY: GINA RODRIGUEZ, RPR, CRR, CRC
Federal Official Court Reporter
299 East Broward Boulevard
Fort Lauderdale, Florida 33301
gina_rodriguez@flsd.uscourts.gov

1 (Case called to order of the court at 1:31 p.m.)

2 THE COURT: Good afternoon, everyone. You may be
3 seated.

4 THE COURTROOM DEPUTY: This is Pitaluga Nuñez, et al.,
5 versus Ripa, et al. Case Number is 25-CV-61814 Smith.

6 Counsel starting with the Government -- I'm sorry,
7 with plaintiff, rather, please state your appearances for the
8 record.

9 MR. MONTANEZ: My name is Felix Montanez on behalf of
10 the plaintiffs.

11 THE COURT: Good afternoon, sir.

12 MR. MONTANEZ: Good afternoon.

13 MS. ROMERO: Good afternoon, Your Honor. Kelsi Romero
14 on behalf of the respondents.

15 THE COURT: Good afternoon as well, Ms. Romero.

16 All right. Are we ready to proceed?

17 MR. MONTANEZ: Yes, Judge.

18 THE COURT: All right. You may proceed, sir.

19 Counsel, has there been any other filings, other than
20 what's submitted to the Court this week? Because I know there
21 were other documentations being filed. So I don't know, have
22 you filed anything else other than under traverse?

23 MR. MONTANEZ: I filed a Notice of Supplemental
24 Authority.

25 THE COURT: I did read that. Anything else?

1 MR. MONTANEZ: That's all, Your Honor.

2 THE COURT: All right. Go ahead.

3 MR. MONTANEZ: May it please the Court.

4 There are three fundamental questions before the Court
5 today. The first is whether petitioners, who are here present
6 today, Dayami Roldan and Yoel Pitaluga, who are a married
7 couple from Cuba, who came to the United States upon the
8 invitation of the United States under the Cuban, Haitian,
9 Nicaraguan, Venezuelan Humanitarian Parole Program, whether
10 they are subject to expedited removal. That's the first
11 question.

12 The second question is what is the scope of this
13 Court's review sitting in habeas.

14 And the third is what is the available habeas relief
15 that the Court can provide.

16 So I'm going to address the first question. We noted
17 in our petition that under 8 U.S.C. 1225(b)(1)(A)(iii)(II),
18 that they are not subject to expedited removal. That is the
19 provision dealing with who the attorney general -- in this case
20 it would be the DHS secretary -- can designate as subject to
21 expedited removal.

22 Those provisions say that, quote: "An alien described
23 in this clause is an alien who is not described." In
24 Subparagraph (f), that deals with people who came from
25 Western Hemisphere countries that do not have full diplomatic

1 relations with the U.S., and then who has not been admitted or
2 paroled into the United States, and who has not affirmatively
3 shown, to the satisfaction of an immigration officer, that the
4 alien has been physically present in the United States
5 continuously for the two-year period, immediately prior to the
6 date of determination of inadmissibility.

7 So the definition of an alien described as subject
8 expedited removal under the designation provision, it's
9 described by a series of nots. They're not someone who has
10 been -- who is -- under subparagraph (f), they're not somebody
11 who has been admitted or paroled, they're not somebody who has
12 been here for two years or more.

13 So in this case, the key point is that because they
14 were paroled, they are not subject under the designation
15 provision. It is -- the Government has pointed out that in
16 January of this year, there was a designation that said
17 the Government can subject noncitizens to expedited removal to
18 the statutory minimum -- I'm sorry, maximum. I'm sorry. But
19 they can't exceed the maximum. So the point is that they --
20 adding them to expedited removal would be exceeding the maximum
21 that is defined by statutes.

22 And it is also, I think, key that the language in the
23 provision that I've just cited says: "Admitted or paroled."
24 It's past tense, and that means that it doesn't -- it is not a
25 key question whether the parole is still active.

1 We are aware, and the Government has pointed out, that
2 there has been efforts to wind down the CHNV program, and that
3 that has resulted in termination, which to my understanding, a
4 termination still stands, even though that's being hotly
5 litigated. Nonetheless --

6 THE COURT: Can you address that further? It has been
7 argued or it's litigated as CHNV has been terminated. So if
8 that is the case, so how would your clients be protected if
9 indeed it is terminated?

10 MR. MONTANEZ: Certainly, Your Honor. I think there's
11 a couple of points here because the admission and
12 termination -- the admission and parole are referred to
13 discrete moments in time and not to some continuous status that
14 extends indefinitely into the future. So -- and this is the
15 case also for adjustment of status. Like, for example, they
16 currently have pending applications for permanent residency.
17 They don't have to show that they currently have a parole. The
18 parole could have expired. They still were paroled. And so
19 that is one of the key points that, unfortunately, we have to
20 kind of delve into a little bit of grammar and verb tense to
21 see that the language here is very significant. The plain
22 language of the statute says, "admitted or paroled," past
23 tense. It is not just me making a big deal about this.

24 Also, the District Court in D.C., in the case
25 CHIRLA v. Noem, made a point about how the statute references

1 past tense, "admitted or paroled." .

2 So the fact that there's been a termination, and
3 immigration practitioners can note that it is the same thing in
4 the INA with regard to adjustment. It doesn't matter if your
5 parole has expired or has been terminated, if you were paroled,
6 you would still be able to adjust under -- and in the case of
7 my clients -- the Cuban Adjustment Act. And it's the same
8 thing that's happening here. So the verb tense is very
9 important, so --

10 THE COURT: Let me ask you this: Can you address the
11 Cuban Adjustment Act? Because it's my understanding that
12 when -- one of President Obama's last acts was to abolish that
13 in his last day in office in 2017. Has that been abolished?

14 MR. MONTANEZ: The Cuban Adjustment Act has not been
15 abolished. What President Obama did was he ended the
16 Wet Foot/Dry Foot policy, which automatically would provide
17 parole to Cubans who landed on dry land. And I can address
18 that further, but the Cuban Adjustment Act is codified and was
19 not ended, although there was kind of -- there was a
20 rapprochement with Cuba with regard to the diplomatic relations
21 in 2014/2015. It didn't end the possibility of Cubans getting
22 residency as long as they were paroled or admitted. It just
23 was an automatic fact that a Cuban who landed on dry land would
24 get a parole or would be admitted. In the case of my clients,
25 they were actually paroled under the CHNV program.

1 THE COURT: Not under the Cuban Adjustment Act.
2 You're saying under the CHNV, they were paroled, but not under
3 the Cuban Adjustment Act?

4 MR. MONTANEZ: Well, the Cuban Adjustment Act sets out
5 the requirements for someone to receive residency. So whether
6 the parole happened under just a general discretionary program
7 or whether it happened automatically, for purposes of
8 adjustment, it doesn't make a distinction.

9 The issue is that because they received parole under
10 212(d)(5), 1182(d)(5), they are eligible for adjustments.

11 So at this moment, as we speak, they have already
12 filed their residency applications. They have been pending for
13 over nine months. I haven't checked the receipt numbers. As
14 we speak, they may have even been approved. You know, I'm
15 saying it could happen any moment. So they're right on the
16 cusp, practically at the threshold, of getting their residency.

17 THE COURT: So once someone filed for their residency
18 as well, are you saying that they can never be expedited at all
19 while they're going through the process?

20 MR. MONTANEZ: It's possible to request consideration.
21 Through this action, which is a fundamentally habeas petition,
22 I wasn't able to directly address, as part of the habeas claim,
23 the relief that's available. That's why I added a mandamus
24 count to the petition. And I know -- I have a client, another
25 client in a separate case, whose residency application has been

1 pending for only about six, seven months. And we filed a
2 mandamus, and they were able to expedite it. And it was just
3 approved a couple of days ago.

4 And so one of my points in raising the habeas petition
5 was that if the Government was inclined to grant -- to go ahead
6 and pressure USCIS to grant the petition to adjudicate it
7 favorably, that would resolve all the issues in the case.

8 THE COURT: Do they have to grant it?

9 MR. MONTANEZ: They're not obligated to grant it.
10 There's a discretionary piece to it, but there's no impediment
11 to it being granted.

12 THE COURT: What if they don't grant it, then what?

13 MR. MONTANEZ: If it's not granted, I think that they
14 would have a cause of action for abuse of discretion. And the
15 Cuban Adjustment Act has provisions that make it somewhat
16 easier to challenge a denial than a regular residency petition.

17 THE COURT: So that's still being enforced? I thought
18 the Cuban Adjustment Act was not being applied or being
19 enforced anymore.

20 MR. MONTANEZ: It still is, Your Honor. It is still
21 being -- the only that's changed has been that because Cubans
22 aren't en masse getting paroles, a lot of them are in sort of a
23 limbo where they may or may not qualify. And so -- and I have
24 colleagues of mine who have been arguing about what the
25 definition of "parole" is. And there's been litigation around

1 that as well.

2 But in their case, it is very clear. They have the
3 parole documentation. So they are completely bona fide, prima
4 facie eligible for adjustment. I think that they could, if
5 USCIS looked at it today, they have no criminal history,
6 there's no real discretionary reason why they would want to
7 deny.

8 THE COURT: No, I get it. My question to you is --
9 make sure I've got an understanding -- just because someone
10 applied, and they may meet the eligibility, if for whatever
11 reason the Government decides not to grant it, that's an
12 automatic abuse?

13 MR. MONTANEZ: Well, I think in this case, Your
14 Honor --

15 THE COURT: Here's why. It seems that to me if it's
16 not granted, it's automatically abuse. There's some type of I
17 guess -- I don't want to say discrimination, if you will, but
18 some type of action being brought. It has to be automatic.
19 Either just because I apply and I qualify, if you don't grant
20 it, then that's some type of abuse.

21 MR. MONTANEZ: Perhaps, Your Honor, I think that if
22 there's no disqualifying information. I did submit -- my
23 co-counsel, who is not here today, did submit a bond motion for
24 both of the petitioners. And these are church-going, peaceful
25 people with no criminal history. So I think that if there was

1 a denial, I would question what the basis of it would be on
2 discretion. If they met the baseline criteria, and there's
3 nothing that would be an impediment, that would be my concern.

4 But I do think -- and we can talk about this
5 question -- that constitutionally they are in a different
6 posture because of the fact that they are so advanced in their
7 immigration process. Because -- Your Honor, so we have --
8 there's a case called *Osorio v. U.S. Attorney General* that
9 relates to the ability of noncitizens to invoke the suspension
10 clause. And so far -- it's a Third Circuit Court of Appeals
11 case, and it dealt with individuals who had -- were still in
12 detention. And these individuals had gotten special immigrant
13 juvenile status, which is a pathway to then proceed to
14 permanent residency. In this case, my clients are much further
15 along in the process. They're on the cusp of getting an
16 approval. In my view, I don't think there would be a reason to
17 deny it.

18 THE COURT: Well, let me ask you this: So that means
19 under the CHNV, if you had clients that were either Haitians,
20 Nicaraguan, Venezuelan, church-going, no issues, no arrests,
21 they should be automatically entitled to have the permanent
22 residency status granted as well, or would you challenge that
23 too saying there's something wrong if they deny them?

24 MR. MONTANEZ: Well, Your Honor, I think that if they
25 have -- for example, if somebody is paroled and is from Haiti

1 or Nicaragua, and they have a relative petition, like their
2 spouse marries them, they are able to adjust as well. For
3 historical reasons, Cubans have a slightly different track
4 that's more favorable. But with regard to generic adjustment
5 of status because they -- if a Haitian or Nicaraguan was
6 paroled, they also would be able to adjust their status if, for
7 example, they had a relative petition, and there was no backlog
8 in the visa bulletin. So I would agree that that would be
9 available to them, even though it wouldn't be the same exact
10 process as for Cuban Adjustment. But they would still be able
11 to get residency if there was a relative petition or something
12 like that.

13 THE COURT: Thank you. You may continue.

14 MR. MONTANEZ: Judge, so there are -- there's this
15 statute here. I mentioned 8 U.S.C. 1225(b)(1)(A)(iii)(II), and
16 that dealt with the aliens who are described under the
17 designation provision, which means that DHS at a maximum can
18 designate these individuals for expedited removal.

19 So our point was that my clients, petitioners,
20 actually are not under -- they're exempt from the statute.
21 They're disqualified from being an expedited removal.

22 I think one of the Government's points earlier in
23 their return was that there's a separate provision regarding
24 aliens who are arriving. And the -- and I think that the case
25 that -- it has kind of a little bit of a confusing procedural

1 history. I wanted to go into that a little bit, the CHIRLA v.
2 Noem case.

3 So, first of all, the petitioners were not actually
4 detained -- were not put in expedited removal at the border or
5 when they arrived at a port of entry. They were arrested and
6 detained in Key West during a traffic stop more than a year and
7 a half after they had entered the country.

8 So in terms of the plain language of the statutes,
9 that's not when they are arriving in the United States. I
10 think that's a completely off-base interpretation of what it
11 means to be arriving, if you look at the plain-language
12 dictionary definition of what it means to be arriving.

13 And I know the Government is trying to apply sort of
14 this arriving alien framework. In CHIRLA v. Noem, there's a
15 whole discussion about how the plain language of the statute
16 should govern, and that's what we think is a proper resolution
17 here because --

18 THE COURT: When were they detained in Key West?

19 MR. MONTANEZ: They were detained July 6th of this
20 year. Almost three months ago.

21 THE COURT: So they were just operating a motor
22 vehicle?

23 MR. MONTANEZ: One of the petitioners was operating
24 the vehicle and the other one was a passenger, to my
25 understanding. So there was a window tint violation,

1 allegedly, and that's -- there was an operation -- there was a
2 joint operation between local law enforcement and ICE. ICE
3 arrived on the scene fairly quickly after the traffic stop, and
4 they detained them. They were not detained and put into
5 expedited removal when they were arriving in the U.S. They had
6 already been in the U.S. for a considerable amount of time.
7 They established domicile in the U.S.

8 THE COURT: So when did they arrive to the
9 United States?

10 MR. MONTANEZ: January 2024. And that's when -- they
11 came here by the invitation of the U.S. Government. The
12 Biden Administration had created a program. The CHNV program
13 was designed to reduce border crossing. So they said: If you
14 have a sponsor, you can come to the U.S. Legally, we will
15 allow you to be paroled in and --

16 THE COURT: Not to cut you off. That's why -- I know
17 there's been a lot of changes in litigation with respect to
18 immigration, so I want to make sure we're on the same path
19 here. I understand the Biden Administration initiated a CHNV
20 to carve out a pathway for citizenship, right? For up to
21 two years, am I correct?

22 MR. MONTANEZ: It was -- it was maybe a little bit
23 less ambitious than that because they often would not have a
24 clear pathway. Cubans have -- they still have the
25 Cuban Adjustment Act, so if they are paroled, which in this

1 case they were, they would have a path of residency.

2 Some of the other -- so the Haitians, Nicaraguans, and
3 Venezuelans would typically, if they wanted to stay, have to
4 apply for asylum. So it was a way for them to do that without
5 having to face the dangers of coming to the -- going to the
6 border and overloading the border security forces.

7 THE COURT: Yeah, but regardless, it still provided a
8 pathway for citizenship, whether it's asylum or through the
9 Cuban Adjustment Act, through this program, correct?

10 MR. MONTANEZ: I think it may be -- the ultimate
11 intention of that might have been to do so. But we definitely
12 see people that were left sort of in limbo, that maybe their
13 parole expired, and they maybe didn't have a clear path. But I
14 think the intention was prevent border crossings, and then some
15 people who decided to stay could pursue asylum, could pursue
16 residency, if they were eligible.

17 THE COURT: And under the current administration, they
18 are not honoring the CHNV, correct?

19 MR. MONTANEZ: They have decided to not extend it and
20 also to terminate the CHNV, which, Your Honor, the --

21 THE COURT: When was it terminated by this
22 administration?

23 MR. MONTANEZ: March 2025 is when the Federal Register
24 notice, if I'm not mistaken, for the Government, when that came
25 out.

1 And -- but as I was mentioning, because of the fact
2 that the discussion in *CHIRLA v. Noem* is emphatic about this,
3 this is a past-tense thing. So if they were paroled, expedited
4 removal should not apply.

5 So with regard to the second point, which was that
6 because they were not arriving at the point of arrest and
7 detention, that should not be used to be able to invoke
8 expedited removal either.

9 THE COURT: Has there been any other court that has
10 granted expedited removal in favor of the Government?

11 MR. MONTANEZ: Well, we could consider a couple of
12 court decisions. I think the most salient one was the one that
13 I put in the Supplemental Authority Notice, which is the D.C.
14 Court. Under 8 U.S.C. 1252(e), there's a way for plaintiffs to
15 challenge a practice, a policy, and try to prevent it. And
16 that's what that lawsuit was about. The lawsuit in D.C., in
17 *CHIRLA v. Noem*, was about ending expedited removal for persons
18 that were paroled into the U.S. under CHNV. There was a series
19 of measures, including CHNV -- well, CHNV termination, which
20 was in March 2025. And in February, ICE also issued a
21 memorandum saying they were going to try to subject people who
22 were arriving aliens who were paroled to expedited removal.

23 So there were four items that were challenged in that
24 lawsuit. And the District Court in D.C. stayed the application
25 of expedited removal to persons who are in identical or close

1 to identical situations to my clients. And not only that, but
2 the stay was not just applicable to the plaintiffs in the D.C.
3 case, it was applicable nationwide.

4 And that's a very key point. That's why I thought it
5 was important to attach a copy of the complete order, even
6 though it is pretty lengthy. And I wanted to address also --
7 because the procedural history in that case is a little bit
8 convoluted. There was a stay issued on August 1st that I think
9 is clearly applicable to my clients. The reason I say that is
10 because the very first individual person -- initials are
11 M.A.R. -- Cuban, entered on CHNV, was arrested actually at a
12 courthouse and subjected to expedited removal. Sorry. And,
13 you know, is a very similar posture to my clients.

14 And the motion that was filed by the plaintiffs in
15 that case was for anybody who was paroled -- previously paroled
16 at a port of entry. And the decision in that District Court
17 case was applying to anybody who had been paroled at any time
18 at a port of entry.

19 So, ultimately -- and this is where I think there was
20 a little bit of confusion -- the Government tried to get a stay
21 of the stay, to stop the stay from going into effect.

22 Ultimately, the Circuit Court in D.C. said, "We don't
23 think you've met your burden to show irreparable harm." And I
24 think it wasn't a model of clarity, the way the Circuit Court
25 wrote the decision, but the practical effect of it was that the

1 District Court of D.C.'s decision was back in effect. And the
2 District Court is clear that there's a nationwide stay on
3 expedited removal of people who were paroled at ports of entry.
4 So I think that's a very important point.

5 Another point is, opposing counsel has just given me
6 copies of --

7 THE COURT: Is this case on appeal before the
8 U.S. Supreme Court now?

9 MR. MONTANEZ: To my knowledge, it's not. It's still
10 at the Circuit Court of D.C.

11 THE COURT: Okay.

12 MR. MONTANEZ: The termination of CHNV was before the
13 Supreme Court, but that's -- the latest I know of that case was
14 the termination is still valid. Although I don't think that
15 affects the case because, as I said, I think that if they were
16 paroled, they would be beneficiaries of the stay that's in
17 effect right now.

18 THE COURT: Any other court that addressed this issue,
19 other than what you just cited?

20 MR. MONTANEZ: There is a discussion -- there is a
21 citation to a District Court in Massachusetts in the D.C.
22 District Court opinion. And so that -- I think that's the most
23 salient case that I can think of with regard to this.

24 And I can reference some cases that I've worked on in
25 the Southern District of Florida and explain why I think

1 they're a bit different from what we have today.

2 THE COURT: Sure.

3 MR. MONTANEZ: Well, I have a couple of cases of
4 persons who were detained after being in the United States for
5 more than two years. One of them is currently on appeal to the
6 Eleventh Circuit. Another one was equitably vacated and
7 remanded and vacated. And I know the Government cited to those
8 cases in the return.

9 I think the biggest difference is that because both of
10 the petitioners here are clearly not at the threshold of entry.
11 They are already domiciled in the U.S. The bond motion
12 exhibits I gave to the Court, not to question the bond
13 decision, per se, but because of the fact that it shows the
14 extensive family community ties. And their residency
15 application, I think, puts them at a completely different
16 procedural posture than people who have merely been here for a
17 couple years; although, I do think that those cases were
18 wrongly decided. But -- but because of the fact that they are
19 further along in their immigration process than the Osorio case
20 in the Third Circuit.

21 THE COURT: Let me ask you this about the application
22 process because I read the submissions. And to my
23 understanding -- you could correct me if I'm wrong -- that
24 sometimes it takes up to two years for those to be processed.
25 I even think there was one case that says that even 25 months

1 was not unreasonable.

2 MR. MONTANEZ: That is correct, Your Honor. Sometimes
3 USCIS will take a considerable amount of time to adjudicate
4 those applications. And because of the manner of entry in
5 which my -- the petitioners entered the country, they cannot
6 apply before an immigration judge. Also, they have not been
7 put in proceedings with an immigration judge yet. But they
8 have to go to USCIS. And so USCIS, it can sometimes take a
9 while to decide cases.

10 The main point I have with regard to expediting their
11 residency was both of my clients have been subjected to a
12 process in which they were almost deported. And I don't know
13 if there's any testimony that can be taken, but both
14 Mr. Pitaluga and Ms. Roldan were almost onboard flights to
15 either Cuba or Mexico. Mr. Pitaluga was in California. To my
16 understanding, everyone else aboard the flight to Otay Mesa,
17 California ultimately was sent to Mexico, which is not his
18 country of origin anyway.

19 THE COURT: Let me ask you this: Let's say,
20 hypothetically, had they been deported. Unfortunately, let's
21 say that happened, they've been deported, does that, by any
22 mean, terminate their ability from moving forth in the process?

23 MR. MONTANEZ: Yes, Your Honor, because the issue is
24 that for the I-485, it requires physical presence in the U.S.
25 They are not necessarily required to have an interview, but if

1 they were required to have an interview, they would have to
2 appear for that. So deportation would undermine their ability
3 to get residency under the process that they've been pursuing.

4 THE COURT: Would they notify you a date or time you
5 have to come for the interview or a process?

6 MR. MONTANEZ: They would, they would. But if they
7 were out of the country, then they wouldn't have any way to
8 appear, and so they would undermine their ability to get an
9 approval, although they could approve it without an interview.
10 And I think that they are completely ripe for adjudication.

11 So my point -- and just to be clear, I think in
12 habeas, under the clear language of the statute, the 1252(e)
13 doesn't allow consideration of relief from removal. That's why
14 I created a separate claim for that, in an effort to talk to
15 the Government about that issue and see if that could be an
16 informal way to resolve the case.

17 But I think the crux of the matter is we wouldn't have
18 any issue -- I would not be in front of the Court right now if
19 however --

20 THE COURT: Let me go back here. For example, there
21 are people, you know, may be applying through a process.
22 Sometimes they travel back and forth out of the country, right?
23 You can do that. Let's say you're here, and while you're
24 waiting to go through the process, let's say you want to go
25 back to your homeland -- no matter whether it's Cuba, the

1 Bahamas, Venezuela, Haiti -- you can do that and still obtain
2 citizenship. Once they notify you, "Hey, this is your date and
3 time" -- perhaps, correct? Can you still obtain citizenship
4 that way as well?

5 MR. MONTANEZ: It would depend on the way that they
6 left the country, Your Honor. Because if they left on what's
7 called an advanced parole -- so somebody who has petitioned for
8 residency can request an advanced parole and travel to their
9 home country, third country, and return with permission, with
10 advanced permission.

11 But if they're deported, they're going to have a
12 ten-year bar. Well, in the case of an expedited removal, a
13 five-year bar, and they can't enter the country where they
14 might be prosecuted. So if there's a deportation, they
15 wouldn't be able to travel back and forth. So it would
16 completely undermine their ability to get any status here.

17 The case -- the CHIRLA v. Noem case, Your Honor, I
18 think it's really significant because of the fact that there is
19 a stay. The Government -- in the initial filing, the
20 deportation officer said that they were served on
21 September 18th with corrected I-860s, and the Government has
22 given me some documents that have, apparently, an error from
23 earlier. But in terms of -- I want to talk right now about
24 what the scope of habeas review is for the Court. 1252(e) does
25 allow for very limited review. And one of the things that can

1 be reviewed is if there was indeed an order of removal. And --

2 THE COURT: Like if they were a citizen, for one,
3 right?

4 MR. MONTANEZ: Yes. Well, there's a couple of other
5 exceptions. Like if they were permanent residents, if they
6 were granted asylum.

7 THE COURT: Asylum, yes.

8 MR. MONTANEZ: There are a couple of exceptions. But
9 it is not -- it is not a very complete picture of people who
10 shouldn't be subjected to expedited removal.

11 THE COURT: Address what that pertains to this court
12 here with the issues that's here so we can narrow the issue.

13 Number one, we know they are not a U.S. citizen,
14 correct?

15 MR. MONTANEZ: Correct, correct.

16 THE COURT: All right. And they are not seeking
17 political asylum.

18 MR. MONTANEZ: They have not filed for asylum;
19 however, they do have the -- they should have the opportunity
20 to request a credible fear interview, which they have not been
21 given, and they have instead been -- the Government has
22 attempted to remove them without giving them any kind of
23 credible fear process, which they are entitled to, under
24 expedited removal. So even that minimal due process that's in
25 the statute, they have not been given.

1 But --

2 THE COURT: Let me -- they were not given a credible
3 fear?

4 MR. MONTANEZ: No. And a credible fear interview
5 would at least give them a chance to get into standard removal
6 proceedings, where they could have a litany of rights that they
7 don't currently have. They couldn't be arbitrarily deported
8 until the standard 1229(a) proceedings are completed.

9 So one of the points, Your Honor, that I wanted to
10 make was that we wouldn't be here today if -- however
11 ill-advised it was, if the Government wanted to put them in
12 immigration court proceedings and detain them, they would have
13 a chance to see an immigration judge, they would have a chance
14 to apply for asylum. If they wanted to request voluntary
15 departure to Cuba, they could do that. But they have been put
16 into a separate process that, based on what I have mentioned,
17 doesn't apply to them. So the statute --

18 THE COURT: Well, what process? They didn't go before
19 an immigration judge at all?

20 MR. MONTANEZ: No. They have not been given a notice
21 to appear before an immigration judge. They have just been
22 shuttled to other locations, and they've tried to remove them.

23 If -- if -- so there's no -- what the Government gave
24 me today, it doesn't look like this was -- I'm not sure if --
25 who served this, but there was a -- the last filing, it said

1 September 18th. So I'm not sure if they were ever served with
2 expedited removal paperwork.

3 So my point, Your Honor, would be that 1252(e) allows
4 for this Court to make a determination that they were actually
5 never -- there was never an order of removal issued. And I
6 think legally that is the case because there's a stay now. If
7 *CHIRLA v. Noem*, since it's operative now --

8 THE COURT: Well, let me be clear. You're stating
9 they never received a notice of expedited removal?

10 MR. MONTANEZ: This is the first I'm seeing this
11 document, and the others were -- there's a certificate of
12 service, but it's from several days after we filed the habeas
13 petition. So I don't know -- I assume that they received that
14 one, but it was after the stay was reinstated.

15 So my point would be if there's a stay in effect
16 that's nationwide, there's effectively no order of removal
17 against them. There's no valid order of removal. There's no
18 legal order of removal. And the Court can just order the
19 respondents to issue a notice to appear in immigration court in
20 which they'll have a panoply of rights, and they will be able
21 to apply for asylum, they will see an immigration judge, they
22 can request voluntary departure if they want to, but they're
23 not going to be shuttled off to a third country without notice.

24 THE COURT: Who determined that the stay was
25 nationwide?

1 MR. MONTANEZ: That is in the actual District Court
2 decision. It says it's not only applicable to the plaintiffs,
3 it says it's applicable to anybody who has been paroled at any
4 time at a port of entry. That is within the District Court
5 decision.

6 The Circuit Court decision that lifted the
7 administrative stay is -- like I said, it's not a model of
8 clarity. They basically said that, you know, they hadn't met
9 the irreparable harm to the Government.

10 I did want to make a clarification. I had put
11 something in one of the notices that I wanted to clarify
12 referencing aggravated felonies. That was incorrect. It was
13 actually -- there's a reference to arriving aliens in the
14 Circuit Court decision. But, like I said, the practical effect
15 of the Circuit Court --

16 THE COURT: The Circuit Court lifted a stay.

17 MR. MONTANEZ: Lifted the stay --

18 THE COURT: Nationwide.

19 MR. MONTANEZ: The Government got.

20 But the stay that the District Court issued then was
21 reinstated. That is the fundamental point.

22 So because the Government didn't -- they wanted to
23 stay the stay. The stay of the stay was lifted. That's why
24 the potential issue is a little bit tricky, but I thought that
25 it was important to note that. And that's why I added the

1 Notice of Supplemental Authority. Because if you actually go
2 back and look at what the District Court decision says, which
3 is now in effect, it does not only apply to the plaintiffs in
4 the case, it applies nationwide. And it applies to, like I
5 said, the very first plaintiff in that case, the M.A.R. are the
6 initials -- has facts that are very close to what my clients'
7 facts are.

8 So if there's a stay in effect, I don't see how there
9 could be an order of removal in effect against them, which
10 means this Court, under 1252(e), could state there's no order
11 of removal; and, therefore, we are ordering the respondents to
12 issue an NTA, a notice to appear in immigration court. That's
13 the first thing. And that's actually within the statute.

14 The statute also allows -- the District Court that
15 issued the stay, it allows for challenges to policies and
16 practices at the nation level -- the national level in the D.C.
17 court. So that's -- I think that's really important.

18 The other point -- and this is what I emphasized in my
19 reply -- was that habeas review is something a little -- it
20 goes a little bit beyond what 1252(e) allows. And the case
21 that we cited to a lot is Boumediene v. Bush.

22 THE COURT: Can you spell that for the record.

23 MR. MONTANEZ: B-O-U-M-E-D-I-E-N-E. Boumediene v.
24 Bush.

25 That case dealt with detainees in Guantanamo Bay who

1 had been designated as enemy combatants. And the Supreme Court
2 in that case said that they still had the right to seek habeas
3 review, and that the procedures that were in place for them to
4 challenge their enemy-combatant status were not sufficient.

5 So I'm -- Judge, I'm not asking for habeas review of
6 people in Guantanamo Bay; I'm asking for habeas review for
7 people in Pompano Beach. They are here; they have been here.
8 They are almost permanent residents. How could they not be
9 able to invoke the suspension clause and say we think that this
10 process has been invoked against us in a way that is not in
11 accord with the statutes?

12 So that is one of the fundamental points. And I think
13 the Circuit Court decision that is the most on point is Osorio,
14 which says that people that are -- have established community
15 ties, have developed a certain relationship with U.S., are able
16 to invoke suspension.

17 The case the Government might cite, and I wanted to
18 address this as well, is Thuraissigiam. Thuraissigiam is a
19 case dealing with --

20 THE COURT: Also, can you spell that for the record as
21 well?

22 MR. MONTANEZ: I'll try.

23 THE COURT: Well, you're citing the cases, so if you
24 should have it, you should for the record.

25 MR. MONTANEZ: It's T-H-U-R-A-I-S-S-I-G-I-A-M.

1 It's a case dealing with a Sri Lankan national.

2 Thuraissigiam was a case that dealt with a Sri Lankan
3 who came and was apprehended 25 yards within the border, and he
4 challenged a negative credible fear termination. He said, "I
5 need to be able to challenge this in habeas."

6 And the Government has cited to that case to say that
7 my clients, the petitioners, cannot invoke suspension clause.
8 And I noted at least four crucial distinctions. I will name a
9 couple of them.

10 One is they're not at the threshold of entry. They
11 have been domiciled in the U.S. for a year and a half. And so
12 that was a distinction noted in that case. Thuraissigiam,
13 Justice Alito wrote that opinion.

14 Another distinction is those individuals were not
15 asking for release from detention; they were asking for a new
16 credible fear determination. They said the process was
17 inadequate.

18 My clients are not asking to correct the procedural
19 defect. They're saying that they are not subject to expedited
20 removal, period. So that's another distinction that's really
21 important.

22 And relatedly, they're not asking for a fact-intensive
23 inquiry about whether they're afraid to go back. That's the
24 kind of thing that Justice Alito said was something that the
25 federal courts were not well-disposed to do.

1 We're just asking for the Court to do what it's done
2 in Boumediene, even in this Japanese internment case, Ex parte
3 Endo. It's E-N-D-O, Ex parte Endo.

4 The habeas has been about showing the -- checking to
5 see whether a statute is threshold applicable to somebody. And
6 so our claim is that it's not applicable to Mr. Pitaluga or to
7 Ms. Roldan. And that's what we're doing here. So aside
8 from --

9 THE COURT: So let me ask you this: So any clients of
10 yours -- I mean, just general immigrants here, who has been
11 here for at least a year and a half, is not subject to
12 expedited deportation or removal, rather, provided they don't
13 have a criminal record or anything else. They came in under
14 the CHNV or perhaps been here for at least a year and a half.
15 So somehow, they get accosted by the Border Patrol or anyone
16 else, they are not subject to the expedited removal?

17 MR. MONTANEZ: If they were paroled under CHNV,
18 whether they're Cuban, Haitian, Nicaraguan or Venezuelan --

19 THE COURT: But even though the current administration
20 terminated it. That's what I -- you see -- because right now
21 it is true that the current administration is not bound by the
22 previous administration's decision to implement such rules or,
23 I guess, executive procedures. Because, again, let's say the
24 next term or this current administration could change its mind.

25 MR. MONTANEZ: Sure.

1 THE COURT: They could extend it, right, or they could
2 broaden it beyond CHNV. They could include other countries,
3 correct?

4 MR. MONTANEZ: Sure.

5 THE COURT: Let's say, for instance, hypothetically
6 this administration were to include other countries. Let's say
7 they add South Africa, they add the Bahamas, they add the
8 Virgin Islands -- I mean, that's part of the U.S. They have
9 the Bahamas. I apologize. They add Jamaica, right? And let's
10 say the guards change, you have a new president in office, a
11 new administration. And they say, "Those folks who came in
12 then" -- from those countries I just mentioned. They say,
13 "Well, we were paroled. We have been here a year and a half."

14 And a new administration says, "No, I'm terminating on
15 day one in office those countries." Are they not subject to
16 expedited removal because you would argue that they, one, have
17 been here for about at least a year and a half, and they don't
18 have to honor that policy?

19 MR. MONTANEZ: Well, I think the crux of the argument
20 isn't that they've been here for a year and a half. I think if
21 they have been here for more than two years, that would have --

22 THE COURT: It doesn't matter. I just want to know --

23 MR. MONTANEZ: Sure.

24 THE COURT: -- if a new administration comes in and
25 changes it, what I'm saying is are you saying they are

1 protected, that regardless of what has been done with the
2 previous administration, a new administration cannot overturn
3 that? And because they were, quote-unquote, paroled based on
4 the previous administration, they can't ever be subject to
5 expedited removal.

6 MR. MONTANEZ: Right. And I think this goes back to
7 what parts of the process are subject to executive orders and
8 memoranda and what parts are subject to statute. Because what
9 I'm referencing right now is 8 U.S.C. 1225, which Congress has
10 codified. And that's where I'm basing the analysis that even
11 if a subsequent administration says, "We're going to terminate
12 your parole," that can have consequences. They could be
13 detained. They are detained.

14 If this Court orders respondents to issue an NTA,
15 respondents might still detain them, and they could do that.
16 But the issue is, did that parole that was issued have an
17 effect in terms of disqualifying them from expedited removal?
18 And our point -- and this is what the CHIRLA v. Noem decision
19 says, and the answer we think is yes. The act of paroling them
20 disqualified them from expedited removal.

21 So I think that's a key point, that we're not talking
22 about a situation where just because you entered and were
23 paroled, you shouldn't be subject to a situation where
24 five years down the road, they can put you in expedited
25 removal; whereas, somebody who crossed the border without going

1 through the port of entry after two years is free and clear. I
2 mean, that's not really a rational result, I don't think.

3 I think it follows, from the Government's argument,
4 that if you were paroled at a port of entry, they could do an
5 expedited removal whenever. And I don't think that's a
6 rational reading of the statute. I think the reading that
7 makes sense is parole, admission. Those are discrete moments
8 in time that it happened or it didn't happen. And if it did
9 happen, it has consequences. And if it didn't happen, it also
10 has consequences.

11 And so because it did happen in our -- in the
12 petitioners' case, they shouldn't be subjected to this. A
13 Court has already ruled in that fashion. And I think that this
14 Court would be bound by that and to take that into
15 consideration.

16 Again, I think that what we're asking for is actually
17 quite moderate. It's moderate because we're saying this Court
18 has, under 1252(e), the ability to order respondents -- to
19 order them to be put before an immigration judge. That is in
20 the statute. That's not me asking for something based on
21 common law principles.

22 THE COURT: Walk me through this. Let's say
23 this Court were to order the Government to give them an NTA to
24 go before an immigration judge. What happens there?

25 MR. MONTANEZ: Well, the clients would not be able to

1 pursue adjustment before the judge. They still have to wait
2 with the USCIS. But they could -- for example, they could
3 request that proceedings be terminated because they have a
4 pending application for adjustment, they could request asylum,
5 they could request a voluntary departure.

6 THE COURT: What if all of that is hypothetically
7 denied, then what's next?

8 MR. MONTANEZ: If there's no other choices, at least
9 they could choose to go back to their country of origin and not
10 be shipped off to a third country, where they have no
11 connection. And that's been one of the main problems, I think,
12 with the situation is that the Government has tried to send
13 them to countries where they have no connections.

14 THE COURT: And your clients, they tried to send them
15 to where, other than Cuba?

16 MR. MONTANEZ: Mexico.

17 And the Government provided, actually, notices of
18 third-country removal that -- you know, that's part of the
19 problem. And once they have a hearing with an immigration
20 judge, they can actually figure out what they want to do. And
21 if they want to go back to Cuba, they can do that. If they
22 want to fight their case -- and hopefully the USCIS application
23 plays out in time -- they can do that. If they want to apply
24 for asylum, they can do that.

25 Right now they haven't been given the opportunity to

1 request a credible fear interview. And because the expedited
2 removal statute gives the Government such broad latitude, and
3 they're claiming there's no jurisdiction to do anything, it's
4 effectively a lawless terrain that we're on. But I don't think
5 it's lawless because the Government can order -- sorry.

6 The Court can order the Government to issue an NTA.

7 The second thing the Court should do, in my opinion,
8 is because of the fact that they are in such an advanced moment
9 in their proceeding -- in their immigration process.

10 THE COURT: Do you have any authority where the Court
11 has granted anyone -- or ordered the Government, rather, to
12 issue an NTA in a matter similar to what we have before today?

13 MR. MONTANEZ: I don't have a District Court decision
14 on that part.

15 THE COURT: It doesn't have to be. Any opinion, any
16 decision.

17 MR. MONTANEZ: I just have the statute. There's no
18 Circuit Court review of orders of expedited removal. It's only
19 in the District Courts where they have this truncated habeas
20 corpus proceedings. But I -- the cases that I found have
21 not -- or squarely address that issue. So --

22 THE COURT: So no District Court in the United States
23 has ever ordered the Government to direct anyone who is
24 pleading or seeking some type of status here to go before an
25 immigration judge?

1 MR. MONTANEZ: It's only based on the plain language
2 of the statute. I haven't found a case directly on point. And
3 I think one of the issues is because, like, right now we have,
4 you know, these orders, which they can produce relatively
5 quickly, and that would moot out the case.

6 THE COURT: Does what now? I didn't hear you.

7 MR. MONTANEZ: Sorry. The orders of expedited removal
8 can be produced fairly quickly, and so typically plaintiff
9 wouldn't be able to ask a judge to issue -- to order
10 respondents to order an NTA.

11 In this case, there's a stay. And I think that's a
12 very important thing, the interplay between this Court and the
13 D.C. District Court. Because of the stay, this order is not
14 valid. So --

15 THE COURT: Did you request to go before an
16 immigration judge?

17 MR. MONTANEZ: There's not really a formal way to
18 request that. The only way that they could do it is if they
19 are given a credible fear interview and they pass, and then
20 they will be referred to an immigration judge. But there's no
21 way for me to send a letter or an email to somebody and just
22 say: "Put me in proceedings."

23 THE COURT: But did they ask for a credible fear
24 interview?

25 MR. MONTANEZ: It's my understanding they have. They

1 have requested it. They didn't want to go back to Cuba.

2 THE COURT: When was it requested?

3 MR. MONTANEZ: I don't know the exact date of when it
4 was requested. But to my understanding, they don't want to go
5 back to Cuba, and they would want to have a credible fear
6 interview. I don't know what exactly -- all I know, as far as
7 the Government's response, has been that they have been moving
8 with dispatch to try to send them to Mexico or to a third
9 country and sort of end the case that way.

10 But I think the statute does allow it. All that -- I
11 think that if the Court rules on this based on the statute by
12 itself, there could be an order saying simply: "There's no
13 valid order of expedited removal because of the stay;
14 therefore, an NTA should be issued."

15 And I think, also, subsequent to that, the Court
16 should say: "Because of the advanced stage of the process that
17 they're in, under *Osorio v. U.S. Attorney General* in the
18 Third Circuit"-- you know, see *U.S./Osorio* -- "that if
19 the Government doesn't do so, they should be released."

20 THE COURT: And you said they applied when?

21 MR. MONTANEZ: They applied -- it's been like
22 nine months now when they applied for residency.

23 THE COURT: And this is -- this is the same matter
24 that can take up to 25 months, on average 21 and a half months.

25 MR. MONTANEZ: It's possible. When they're in

1 proceedings, sometimes it is possible to get the Government to
2 move faster. As I said, I have another case where we filed a
3 mandamus, and within five months of the initial application, it
4 was granted.

5 THE COURT: Did you file a mandamus here, seeking an
6 expedited request or so?

7 MR. MONTANEZ: I did. It was kind of bare bones
8 because -- but I think that I just wanted to see if I could
9 speak with the Government about that possibility in order to
10 moot out the case.

11 If the Court thinks it is so inclined, I could request
12 amending the pleadings and doing supplemental pleadings on the
13 mandamus. It has been more than six months for sure, and so I
14 think that we would have a viable claim for mandamus.

15 But I -- in terms of what I think would be a
16 reasonable solution, it's been since July 6th that they were
17 detained. They tried to send them to third countries. They
18 haven't had a chance to see an immigration judge. They
19 haven't -- and I don't believe that the Court should simply
20 accept that there's no jurisdiction here. I think that they
21 can give the Government a deadline to file a Notice to Appear,
22 and if they don't, order their release, which is what
23 traditional habeas review is about.

24 This is one of the problems with the way that the
25 statute is crafted. It doesn't allow for a Court to issue an

1 order of release. But under the suspension clause, we have
2 argued -- this is one of the main points in our briefing --
3 that the suspension clause allows for jurisdiction even if a
4 statute purports to strip jurisdiction. And that's what
5 *Boumediene v. Bush* is about. There was a very clear
6 jurisdiction stripping statute in *Boumediene v. Bush* with
7 regard to enemy combatants, but the Supreme Court said that
8 violates the suspension clause because they have to have some
9 judicial recourse.

10 And I think that my clients are in a much more
11 favorable position than somebody who has no relationship with
12 the United States who is in Guantanamo. They have been here,
13 they have a relationship with the country, they have a pending
14 process, so they should be able to invoke suspension clause as
15 well.

16 We also asserted that there is a violation of due
17 process. And I don't know if these -- if my clients were
18 served with these on July 6th. As far as I know, it was only
19 on September 18th, after we filed a habeas, when they were
20 served with this paperwork.

21 So, ultimately, I would ask the Court to seriously
22 review the pending litigation in D.C., and also the statutory
23 authority it has to issue an NTA, and also the constitutional
24 authority that it has to order release, and to cut through all
25 the tissue of the case and be able to order release based on

1 the fact that the expedited removal statute is not applicable
2 to them because of the fact that they were paroled.

3 THE COURT: Thank you.

4 MR. MONTANEZ: Thank you.

5 MS. ROMERO: May I please the Court.

6 THE COURT: Yes.

7 MS. ROMERO: I first want to address the credible fear
8 issue just because it was brought up several times.

9 Both Petitioners were given an -- they gave sworn
10 statements on July 6th when they were picked up. And in that
11 sworn statement, the officer specifically asked, "Do you have
12 any fear of persecution or torture should you be removed from
13 the United States?" and they answered, "No."

14 THE COURT: Where is that?

15 MS. ROMERO: It's in the sworn statement, which was
16 Exhibit E to our habeas return. And it's line -- there's no
17 line item, I apologize. But it is Page 2 of 3 of the sworn
18 statement. And that is the same place in both the sworn
19 statements for both petitioners.

20 I next want to address this D.C. case that was --
21 brought a lot of confusion and was brought up a lot during
22 petitioners' argument.

23 The D.C. case and the stay that's currently still in
24 place only addresses the designation provision, which
25 petitioners spent a lot of time discussing, and why the

1 petitioners were not eligible for expedited removal under the
2 designation provision, but the Government is not -- is not
3 expeditiously removing them under the designation provision,
4 but rather in their capacity as arriving aliens. Because once
5 their parole was terminated, they go back to the status they
6 had at the time they were paroled, which is arriving aliens.

7 And so in that situation, this District Court case and
8 the stay that's in D.C. does not apply to the case here. It
9 only -- and the plaintiffs in that case specifically disclaimed
10 any challenge to the arriving alien regulations in their motion
11 for a stay.

12 THE COURT: So let me ask you this: So everyone who
13 came out of the CHNV as of March 2025, their parole all have
14 been terminated?

15 MS. ROMERO: The parole has been terminated as of
16 March, correct.

17 And as a result, they are now arriving aliens. And so
18 they are treated in the same way as someone showing up at our
19 border for the very first time. And as a result, if they're
20 deemed inadmissible, they're eligible to be put in expedited
21 removal proceedings and removed.

22 THE COURT: How will you address the petitioners'
23 argument about the Cuban Adjustment Act, that they are
24 different?

25 MS. ROMERO: They are not different. In 2017, when

1 President Obama did roll back the Wet Foot/Dry Foot policy,
2 there was actually a regulation put out -- I can pull that up
3 for you -- that specifically excluded Cubans. It removed the
4 exclusion of Cubans from expedited removal proceedings. It
5 basically said that the -- the provisions, 1225(b)(1)(F), which
6 petitioners brought up a lot, that that specifically no longer
7 applies to Cubans because -- partly because of the mass influx
8 of Cubans under the prior administration, they found -- they
9 found that they needed to do something to level the playing
10 fields a little bit. So they no longer excluded Cubans from
11 being expeditiously removed.

12 THE COURT: And the current administration has not
13 addressed that to change it?

14 MS. ROMERO: They have not attempted to change that.
15 As far as the 2017 rule that was published, it is still in
16 effect. Cubans are not exempt from expedited removal.

17 And I did attach that to my habeas return as well. I
18 can give you the exhibit number if you'd like.

19 THE COURT: Sure.

20 MS. ROMERO: It is Exhibit D.

21 So as the petitioner briefly mentioned, this Court
22 only has limited jurisdiction to review expedited removal
23 orders. And as was partly laid out by Your Honor, you know, we
24 can discuss the petitioners are clearly aliens. They are not
25 citizens of this country. They were ordered removed. There's

1 no grant of jurisdiction for this Court to review the validity
2 of that order, but just the fact that they were ordered
3 removed. And they're not lawful, permanent residents. And for
4 that reason, there's no further jurisdiction for this Court to
5 review these expedited removal proceedings.

6 THE COURT: What about their concern about being
7 extradited or removed to Mexico when they are Cuban nationals?

8 MS. ROMERO: They can't -- under the statutes, they
9 can be removed to a third country. That is possible. You
10 know, this is an unfortunate situation. They did come into the
11 country under this parole program. But once that parole
12 program was terminated, they had an opportunity to voluntarily
13 leave the country and try to come back in under some other type
14 of proper authority or some other status, and they did not do
15 that. They stayed in the country without any kind of status
16 because -- in addition, parole is not a status. It allows you
17 to stay in the country, but it does not grant you a status.

18 And after that year, they did a -- they do have a
19 pending application, but that pending application also does not
20 give them status. And that's -- that's the turning point here
21 is that there is no status for them. They are properly -- they
22 are arriving aliens, properly placed in expedited removal
23 proceedings, and there's no exception for them to be taken out
24 of those expedited removal proceedings.

25 And petitioner also mentioned that they are entitled

1 to more due process rights than the petitioner in -- and I will
2 butcher this name as well -- but Thuraissigiam mentioned by
3 Petitioner.

4 But even though the facts were different in the
5 case -- in the Supreme Court case in Thuraissigiam, the
6 Supreme Court held that aliens who arrive at a port of entry --
7 even those paroled elsewhere in the country for years,
8 potentially longer than petitioners -- are treated as they're
9 stopped at the border. They are treated as arriving aliens.

10 And that is what is happening here. They are arriving
11 aliens who are inadmissible because they're not in possession
12 of any valid documents; and therefore, they are entitled to
13 expedited removal. And that is what is happening in this case.

14 For the further reliance by the petitioner on this
15 Third Circuit case, *Osorio-Martinez v. Attorney General*, is
16 also misplaced. It, for one, is not in our circuit, and it
17 involves special immigrant juveniles, which Congress had
18 afforded status.

19 And, again, that's another distinction. They had
20 status. Parolees, especially parolees whose parole has been
21 terminated, do not have status in this country and are not
22 entitled to remain in this country simply because there's a
23 pending application.

24 While the circumstances here may be unfortunate, the
25 law is clear. They're entitled -- DHS is within their

1 discretion to put them in expedited removal proceedings, and
2 there's no exception that applies.

3 THE COURT: What happened if they were to grant it?
4 Because I know they were in a process of applying, let's say, a
5 week from now, then what?

6 MS. ROMERO: Unfortunately, if they are removed, they
7 are barred from returning for five years, so that is an
8 unfortunate situation. But, again --

9 THE COURT: No, I'm saying he said they have an
10 application in the process, right?

11 MS. ROMERO: Right. But if --

12 THE COURT: Let's say they issue that saying they're
13 granted status here for a permanent residence to stay here.

14 MS. ROMERO: Once they are removed, that application
15 will be deemed abandoned. So they would have to wait
16 five years and then apply to come back into the country under
17 some proper status.

18 So the unfortunate circumstance here was that the
19 petitioners did not leave when the termination of the program
20 happened; and so when they were picked up, it could interfere
21 with their current pending application. And I have checked
22 with USCIS to check on the status of that application, and I
23 have been told that they do have the files, but that it has
24 not -- it is not ripe to be adjudicated in the near future. So
25 they do not have a date for which they would have that

1 adjudicated by. But I did check on that to see.

2 THE COURT: And the truth holds the same for everyone
3 who came under the CHNV, or there's no -- since it's been
4 terminated, no one is processing their application, even though
5 they applied?

6 MS. ROMERO: I don't know if their applications are
7 being processed, but I -- they can't just jump the line because
8 they are in fear of being deported. That's not a valid reason
9 to jump the line. If everybody who filed a mandamus case was
10 able to jump the line just so that they could get approved, our
11 courts would be overwhelmed with mandamus cases. So the Court
12 should not set that precedent here that just because they filed
13 a mandamus case, that they should get to jump to the front of
14 the line and get their applications adjudicated in case they
15 might get approved and they might get to stay in the country.
16 That should not be the precedent set by the Court today.

17 THE COURT: Also, do you want to address the issue as
18 to why they're not entitled to have a hearing before the
19 immigration judge? Because I think they mentioned that they
20 didn't even receive a notice to appear at all.

21 MS. ROMERO: They did. So the I-860s that were
22 attached to the habeas return were the corrected ones that were
23 served on September 18th. But they were served with an
24 original I-160s, and I can provide the Court with a copy.

25 THE COURT: Yes, because I see -- Counsel is nodding

1 his head saying no, I need to see the evidence.

2 MS. ROMERO: I provided him this today at the hearing.
3 I was able to get my hands on a copy of it. Because he had
4 called me and asked about that specifically, so I was able to
5 get --

6 THE COURT: I need to know the answer. Was it -- were
7 they served or they were not served?

8 MS. ROMERO: Yes, they were served. Here is a copy.
9 I apologize; it has hole punches in it.

10 THE COURT: No problem.

11 MS. ROMERO: May I approach?

12 THE COURT: Sure.

13 MS. ROMERO: While it is redacted, it was served on
14 July 6th when they were first picked up. And again, there's
15 further evidence of that by the sworn statements that were
16 taken. The officer did follow the procedures as required.

17 THE COURT: And it said they refused to sign.

18 MS. ROMERO: Yes, they can refuse to sign. So
19 petitioners have that -- I mean, you can't force someone to
20 sign.

21 THE COURT: No, I get that. I'm not --

22 MS. ROMERO: Yeah.

23 THE COURT: But I have before me. I'm not saying they
24 were not served; I'm just reading --

25 MS. ROMERO: Right. Yes.

1 THE COURT: There is a stamp that says: "Refused to
2 sign."

3 MS. ROMERO: Yes.

4 THE COURT: Just like, for example, someone can get
5 stopped for a traffic violation and an officer gives them a
6 ticket after they investigate an accident and you say, "I
7 didn't cause the accident." And the officer disagree. And you
8 say, "I'm not signing this." But it doesn't mean that they
9 didn't issue --

10 MS. ROMERO: Exactly.

11 THE COURT: -- a citation.

12 MS. ROMERO: Just because they refused to sign does
13 not mean that they did not receive it.

14 THE COURT: Got it.

15 MS. ROMERO: And just to briefly address, the
16 petitioners mentioned something of a bond, but expedited
17 removal is subject to mandatory detention so there would be --

18 THE COURT: I'm sorry. Could you say that again.
19 Speak a little louder.

20 MS. ROMERO: I apologize.

21 Just to briefly address, the petitioners mentioned
22 that he had requested bond for the petitioners. Petitioner --
23 aliens in expedited removal proceedings are subject to
24 mandatory detention, so they're not eligible for bond. And,
25 again, that would be outside of the jurisdiction of this Court

1 because we're in expedited removal.

2 THE COURT: I do have a notice, an Order of Expedited
3 Removal, Determination of Inadmissibility as to both Dayami
4 Roldan Cruz and Yoel Pitaluga Nuñez as well. It was dated on
5 July 6th, 2025, as well in both -- it says: "I acknowledge
6 receipt of this notification." Both refused to sign. I do
7 have the documentation provided by the Government as well. It
8 was raised that they did not receive notice, but the evidence
9 shows contrary that they did receive notice. Okay?

10 MS. ROMERO: Yes, Your Honor.

11 THE COURT: Can we mark this here?

12 THE DEPUTY CLERK: Yes, Judge.

13 THE COURT: Go ahead, ma'am.

14 MS. ROMERO: I think we covered the main points that,
15 you know, the Court has limited jurisdiction here. The three
16 courses of review that they would have do not apply in this
17 case because they were ordered removed. They are not lawfully
18 admitted for permanent residence, and they are aliens. And so
19 that is the limit of this Court's jurisdiction and no other
20 exception applies.

21 So if the Court has no further questions . . .

22 THE COURT: All right. I don't.

23 MS. ROMERO: Thank you, Your Honor.

24 THE COURT: Counsel?

25 MR. MONTANEZ: Judge, a couple of points. If

1 the Court reviews -- I know it's -- I filed it as a part of a
2 Notice of Supplemental Authority, but the CHIRLA v. Noem
3 decision, the District Court decision, addresses both the
4 designation provision, which is what opposing counsel mentions,
5 and also addresses aliens who are arriving and says that
6 neither one of those authorizes the Government to subject
7 people who have been paroled at ports of entry to expedited
8 removal. That is what the District Court decision says. There
9 is no stay of the stay. The stay is in effect as of this
10 moment. And so there is no valid expedited order of removal
11 because to do so would be to say that the District Court
12 decision is going to be ignored.

13 So that is why -- my point was that there was no
14 notice to appear before an immigration judge. Okay. A couple
15 of points. This document does not give my clients the right to
16 go before an immigration judge. It only is a notice that
17 they're going to try to deport them and potentially give them a
18 credible fear interview if they're interested. But that is not
19 what -- when I referenced the Notice to Appear, that is what
20 1252(e) allows this Court to do. It doesn't allow --

21 THE COURT: Let me ask you this: It was just stated
22 they denied that they had any type of credible fear.

23 MR. MONTANEZ: Well, I'm not sure if the sworn
24 statement was -- if it's accurate or not, but irrespective of
25 whether they have asserted a credible fear, they have another

1 form of relief. So the point is that they should be given an
2 opportunity to go before an immigration judge because even if
3 the claim is not based on asylum, in plenary rule proceedings,
4 they would be able to, for example, seek termination of removal
5 proceedings based on their pending adjustment of status. Due
6 to the full panoply of things that I mentioned, you know, they
7 could request other forms of relief potentially as well.

8 And the fact that the Government has not done that --
9 because, as I said, Your Honor, if they had just simply given
10 them a notice to appear in immigration court, there would be no
11 reason for me to be here today. The reason why we're here
12 today is because they've tried to subject them to a summary
13 procedure where they basically have almost no rights.

14 And I do want to be clear that although I am saying
15 the Court should give a Notice to Appear so that they can have
16 a process where they are protected from removal until there is
17 the decision from a neutral arbiter, that the Constitution
18 requires a little bit more because Osorio, as I mentioned, it
19 is outside of this circuit; however, my clients are further
20 advanced in the process than somebody who has a special
21 immigrant juvenile status.

22 I have done a lot of SIJS cases, Your Honor. They
23 often have to wait years and years even before they apply for
24 residency. My clients have already applied for residency, and
25 they are almost at --

1 THE COURT: I think you're saying they are advanced
2 because they were apprehended by the law enforcement in
3 Key West, and had they not been apprehended in Key West on that
4 date and time, we wouldn't be sitting here.

5 MR. MONTANEZ: Well, that's true. I wouldn't be here
6 if they weren't apprehended because we're here --

7 THE COURT: So that doesn't mean that they were far in
8 advance along than any other immigrants who were seeking to
9 obtain some type of form of citizenship in the United States.

10 MR. MONTANEZ: Well, I do think so because,
11 Your Honor, for example, I have had a couple of other cases
12 that are -- that similarly have dealt with the scope of the
13 expedited removal statute. And sometimes there are people that
14 simply have been here, they're going to the immigration court
15 hearings, but they're not about to be residents. Like they may
16 have an asylum hearing, you know, within the next two years.
17 And then if they win, after a year, they're going to apply for
18 a residency. So they're years out from getting any kind of
19 official permission to remain permanently in the country. And
20 that -- the petitioners here are on the threshold. So they are
21 further advanced than in Osorio. I laid out the differences
22 between the residual --

23 THE COURT: Well, you just said they were further
24 advanced than Osorio; then you have the Government who just
25 said she had a conversation with the office, and they are

1 nowhere near processing your clients' application. And I could
2 understand why because if this administration made it clear
3 that they have terminated anyone under CHNV, there's no way,
4 common sense, they're going to be processing your clients'
5 application. And, two, if they had, what it was going to do,
6 so there's no way they would issue this expedited removal.

7 MR. MONTANEZ: Well, so there are different agencies
8 involved. And as I mentioned, just a couple of days ago, a
9 client who similarly entered in parole just was granted
10 adjustment of status, similar facts. And that goes back to the
11 fact --

12 THE COURT: Were they arrested too?

13 MR. MONTANEZ: Yes, they're in detention.

14 THE COURT: They're in detention right now?

15 MR. MONTANEZ: Yes, currently. And they hopefully
16 will get released soon, now that they have had their residency
17 approved.

18 So the point is that the residency has to go with
19 USCIS. The parole was issued at a discrete moment in time in
20 the past. I understand this administration has a completely
21 different view of who should be paroled and who should not be.
22 It doesn't change the fact that they were paroled.

23 And, again, going back to --

24 THE COURT: Yeah. But again, I think what we -- I
25 guess we -- well, having circled the arguments, you said they

1 were paroled, but then this administration terminated it. It
2 doesn't give you this status outright. Just because the
3 previous administration allowed it, that's not indefinitely.
4 And I don't think it's retroactive either.

5 In other words, you want me, as a Court, to declare
6 the previous administration decision regarding the CHNV program
7 retroactive. And that is -- and put a stay on it because what
8 the previous administration has done -- that's why I gave an
9 example. This administration could very well extend this
10 program. They don't have to include CHNV. They can include
11 any other countries they want to, right?

12 MR. MONTANEZ: Certainly.

13 THE COURT: And then if that administration changes
14 and another one comes in and disagrees, that -- they can do the
15 same thing.

16 MR. MONTANEZ: Certainly, Your Honor.

17 With regard -- okay, I can give, I think, maybe a good
18 illustration of what I mean. I have a client right now, and he
19 was admitted on a work visa. He overstayed his visa. He
20 married a U.S. citizen. He was able to adjust his status, even
21 though his visa had expired, because he had been admitted. So
22 the fact that it expired or if it had been terminated,
23 likewise --

24 THE COURT: Do they have a visa?

25 MR. MONTANEZ: No. This is --

1 THE COURT: But that's apples and oranges.

2 MR. MONTANEZ: It's an analogy. Well, in the District
3 Court decision that I referenced, Your Honor, they cite the
4 same analogy that just like somebody being admitted into the
5 United States is a discrete moment in time, the same thing
6 somebody being paroled is discrete moment in time that has
7 legal consequences. So I a hundred percent concur that any
8 admission can per preferentially terminate or get rid of parole
9 for certain noncitizens.

10 THE COURT: The difference is that when you look at a
11 visa versus expired and one is being terminated, you have an
12 administration that issued an executive order rather you
13 terminating -- now whether right or wrong, I don't question
14 that. That's an executive decision. Of course, we can't get
15 involved with that, right? That's what they do. Each
16 administration makes the decision. Some are going to agree,
17 some are not going to agree. It is what it is. I have to look
18 at the law and see what it says. And if they terminate it,
19 they terminate it. I can't say, "You know what, I think you
20 should limit it to one group, two, three, four, five, broaden
21 it." That's not my decision to do so. They can change today.
22 You can have a -- they can issue a decision today and change it
23 at their will. It's not going to happen, obviously, right now,
24 but be that as it may, that's within the administration's
25 purview.

1 But, again, you -- I think you're saying just because
2 they came under this process -- so they fall in a group like so
3 many hundreds of thousands of immigrants right now under this
4 program. There's hundreds of thousands that falls within this
5 here. Hundreds, right?

6 MR. MONTANEZ: Yeah, many people. But the same thing
7 happens in many contexts that somebody is given a parole, the
8 parole is -- I have had clients, for example, that they go to a
9 check-in with ICE, ICE takes their parole away. Literally
10 physically takes it away. They are still able to adjust their
11 status because the fact that they were paroled has a legal
12 consequence. That was my point.

13 And I probably am not going to do as good of a job as
14 the District Court in D.C. did in explaining that -- the
15 importance of that act, that even if there's subsequent action
16 to terminate or there's an expiration that that act has
17 consequences.

18 But, Your Honor, there's also another point, and I
19 wanted to mention that in Thuraissigiam, which is a pivotal
20 case that I think has to be looked at. Justices Bader Ginsberg
21 and Breyer addressed that that was an as-applied challenge and
22 they had a concurrence. And they said there are cases where
23 there's going to be people who have been here for a longer
24 period of time. We're not ruling on those cases. We're not
25 saying that it's a blanket statement, that anybody who came in

1 and was apprehended near the border or was paroled, that they
2 can't, you know, invoke the suspension clause. So I think we
3 have to look at it as an as-applied challenge, look at where
4 they are in their process. They have been here for quite a
5 while. They didn't just get here. And I laid out the
6 distinctions between this case and Thuraissigiam, and I would
7 request the Court look at that. And also that whatever
8 decision the Court makes, fully takes into account the pendency
9 of these proceedings in D.C., which I think are extremely
10 important and are -- my clients fall fully under that case.

11 THE COURT: Thank you.

12 This is what I'm going to do. I'm going to ask that
13 the parties both submit proposed orders to me by Monday, and I
14 will issue this -- on the 29th. I will issue a decision by no
15 later than October 2nd, on a Thursday. And the stay will
16 remain in effect until then and my order will be the decision,
17 okay?

18 Anything else?

19 MS. ROMERO: No, Your Honor.

20 THE COURT: All right. Thank you.

21 (Proceedings concluded at 2:47 p.m.)
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, Gina Rodriguez, Federal Official Realtime Court Reporter, in and for the United States District Court for the Southern District of Florida, do hereby certify, pursuant to Section 753, Title 28, United States Code, that the foregoing is a true and correct transcript of the stenographically reported proceedings held in the above-entitled matter, and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

December 22, 2025 /s/ Gina Rodriguez
Gina Rodriguez, RPR, CRR, CRC
Federal Official Court Reporter
299 East Broward Boulevard
Fort Lauderdale, Florida 33301
gina_rodriguez@flsd.uscourts.gov

MR. MONTANEZ: [78]
MS. ROMERO: [30] 2/13 39/5 39/7
39/15 40/15 40/25 41/14 41/20 42/8
44/6 44/11 44/14 45/6 45/21 46/2 46/8
46/11 46/13 46/18 46/22 46/25 47/3
47/10 47/12 47/15 47/20 48/10 48/14
48/23 56/19
THE COURT: [108]
THE COURTROOM DEPUTY: [1] 2/4
THE DEPUTY CLERK: [1] 48/12

-
-- a [1] 47/11
-- if [1] 30/24

/
/s [1] 57/12

1
1182 [1] 7/10
1225 [4] 3/17 11/15 31/9 41/5
1229 [1] 23/8
1252 [8] 15/14 20/12 21/24 24/3 26/10
26/20 32/18 49/20
160s [1] 45/24
18th [4] 21/21 24/1 38/19 45/23
1:31 [2] 1/5 2/1
1st [1] 16/8

2
2014/2015 [1] 6/21
2015 [1] 6/21
2017 [3] 6/13 40/25 41/15
2024 [1] 13/10
2025 [6] 1/5 14/23 15/20 40/13 48/5
57/12
21 [1] 36/24
212 [1] 7/10
22 [1] 57/12
25 [1] 1/5
25 months [2] 18/25 36/24
25 yards [1] 28/3
25-CV-61814 [1] 2/5
25-CV-61814-RS [1] 1/2
28 [1] 57/5
299 [2] 1/20 57/13
29th [1] 56/14
2:47 [2] 1/5 56/21
2nd [1] 56/15

3
31420 [1] 1/14
33301 [2] 1/21 57/14
33394 [1] 1/18

4
485 [1] 19/24

5
500 [1] 1/17

6
60208 [1] 1/14
61814 [1] 2/5
69 [1] 1/8
6th [6] 12/19 37/16 38/18 39/10 46/14
48/5

700 [1] 1/17
753 [1] 57/5

8
860s [2] 21/21 45/21

A
abandoned [1] 44/15
ability [6] 10/9 19/22 20/2 20/8 21/16
32/18
able [22] 6/6 7/22 8/2 11/2 11/6 11/10
15/7 21/15 24/20 27/9 27/15 28/5 32/25
35/9 38/14 38/25 45/10 46/3 46/4 50/4
53/20 55/10
aboard [1] 19/16
abolish [1] 6/12
abolished [2] 6/13 6/15
about [24] 5/23 5/25 8/1 8/24 10/4
12/15 15/2 15/16 15/17 18/21 20/15
21/23 28/23 29/4 30/17 31/22 37/9
37/23 38/5 40/23 42/6 42/6 46/4 51/15
above [1] 57/7
above-entitled [1] 57/7
abuse [4] 8/14 9/12 9/16 9/20
accept [1] 37/20
accident [2] 47/6 47/7
accord [1] 27/11
accosted [1] 29/15
account [1] 56/8
accurate [1] 49/24
acknowledge [1] 48/5
act [15] 6/7 6/11 6/14 6/18 7/1 7/3 7/4
8/15 8/18 13/25 14/9 31/19 40/23 55/15
55/16
action [4] 7/21 8/14 9/18 55/15
active [1] 4/25
acts [1] 6/12
actual [1] 25/1
actually [12] 6/25 11/20 12/3 16/11
24/4 25/13 26/1 26/13 32/16 33/17
33/20 41/2
add [4] 30/7 30/7 30/7 30/9
added [2] 7/23 25/25
adding [1] 4/20
addition [1] 42/16
address [15] 3/16 5/6 6/10 6/17 7/22
16/6 22/11 27/18 34/21 39/7 39/20
40/22 45/17 47/15 47/21
addressed [3] 17/18 41/13 55/21
addresses [3] 39/24 49/3 49/5
adjudicate [2] 8/6 19/3
adjudicated [3] 44/24 45/1 45/14
adjudication [1] 20/10
adjust [5] 6/6 11/2 11/6 53/20 55/10
adjustment [22] 5/15 6/4 6/7 6/11 6/14
6/18 7/1 7/3 7/4 7/8 8/15 8/18 9/4 11/4
11/10 13/25 14/9 33/1 33/4 40/23 50/5
52/10
adjustments [1] 7/10
administration [27] 13/12 13/19 14/17
14/22 29/19 29/21 29/24 30/6 30/11
30/14 30/24 31/2 31/2 31/4 31/11 41/8
41/12 52/2 52/20 53/1 53/3 53/6 53/8
53/9 53/13 54/12 54/16
administration's [2] 29/22 54/24
administrative [1] 25/7
admission [4] 5/11 5/12 32/7 54/8

advance [1] 51/8
advanced [10] 10/6 21/7 21/8 21/10
34/8 36/16 50/20 51/1 51/21 51/24
advised [1] 23/11
affects [1] 17/15
affirmatively [1] 4/2
afforded [1] 43/18
afraid [1] 28/23
Africa [1] 30/7
after [10] 12/7 13/3 18/4 24/12 24/14
32/1 38/19 42/18 47/6 51/17
afternoon [5] 2/2 2/11 2/12 2/13 2/15
again [10] 29/23 32/16 43/19 44/8
46/14 47/18 47/25 52/23 52/24 55/1
against [3] 24/17 26/9 27/10
agencies [1] 52/7
aggravated [1] 25/12
ago [3] 8/3 12/20 52/8
agree [3] 11/8 54/16 54/17
ahead [3] 3/2 8/5 48/13
al [3] 1/7 2/4 2/5
ALBERTO [1] 1/13
alien [6] 3/22 3/23 4/4 4/7 12/14 40/10
aliens [15] 11/16 11/24 15/22 25/13
40/4 40/6 40/17 41/24 42/22 43/6 43/9
43/11 47/23 48/18 49/5
Alito [2] 28/13 28/24
all [17] 2/16 2/18 3/1 3/2 7/18 8/7 12/3
22/16 23/19 33/6 36/6 36/10 38/24
40/13 45/20 48/22 56/20
allegedly [1] 13/1
allow [6] 13/15 20/13 21/25 36/10 37/25
49/20
allowed [1] 53/3
allows [7] 24/3 26/14 26/15 26/20 38/3
42/16 49/20
almost [6] 12/20 19/12 19/14 27/8
50/13 50/25
along [3] 10/15 18/19 51/8
already [5] 7/11 13/6 18/11 32/13 50/24
also [22] 4/22 5/15 5/24 11/6 14/20
15/20 16/6 19/6 26/14 27/20 32/9 36/15
38/16 38/22 38/23 42/19 42/25 43/16
45/17 49/5 55/18 56/7
although [5] 6/19 17/14 18/17 20/9
50/14
am [3] 13/21 50/14 55/13
ambitious [1] 13/23
amending [1] 37/12
amount [2] 13/6 19/3
analogy [2] 54/2 54/4
analysis [1] 31/10
another [10] 7/24 17/5 18/6 28/14 28/20
37/2 43/19 49/25 53/14 55/18
answer [2] 31/19 46/6
answered [1] 39/13
any [25] 2/19 7/15 15/9 16/17 17/18
19/13 19/21 20/7 20/18 21/16 22/22
25/3 29/9 34/10 34/15 34/15 39/12
40/10 42/15 43/12 49/22 51/8 51/18
53/11 54/7
anybody [4] 16/15 16/17 25/3 55/25
anymore [1] 8/19
anyone [4] 29/15 34/11 34/23 52/3
anything [5] 2/22 2/25 29/13 34/3 56/18
anyway [1] 19/18

apologize [4] 30/9 39/17 46/9 47/20
 apparently [1] 21/22
 appeal [2] 17/7 18/5
 Appeals [1] 10/10
 appear [11] 20/2 20/8 23/21 24/19
 26/12 37/21 45/20 49/14 49/19 50/10
 50/15
 appearances [2] 1/12 2/7
 apples [1] 54/1
 applicable [8] 16/2 16/3 16/9 25/2 25/3
 29/5 29/6 39/1
 application [17] 7/25 15/24 18/15 18/21
 33/4 33/22 37/3 42/19 42/19 43/23
 44/10 44/14 44/21 44/22 45/4 52/1 52/5
 applications [5] 5/16 7/12 19/4 45/6
 45/14
 applied [9] 8/18 9/10 36/20 36/21 36/22
 45/5 50/24 55/21 56/3
 applies [5] 26/4 26/4 41/7 44/2 48/20
 apply [15] 9/19 12/13 14/4 15/4 19/6
 23/14 23/17 24/21 26/3 33/23 40/8
 44/16 48/16 50/23 51/17
 applying [3] 16/17 20/21 44/4
 apprehended [5] 28/3 51/2 51/3 51/6
 56/1
 approach [1] 46/11
 approval [2] 10/16 20/9
 approve [1] 20/9
 approved [5] 7/14 8/3 45/10 45/15
 52/17
 arbiter [1] 50/17
 arbitrarily [1] 23/7
 are [102]
 aren't [1] 8/22
 argue [1] 30/16
 argued [2] 5/7 38/2
 arguing [1] 8/24
 argument [5] 1/10 30/19 32/3 39/22
 40/23
 arguments [1] 52/25
 around [1] 8/25
 arrest [1] 15/6
 arrested [3] 12/5 16/11 52/12
 arrests [1] 10/20
 arrive [2] 13/8 43/6
 arrived [2] 12/5 13/3
 arriving [17] 11/24 12/9 12/11 12/12
 12/14 13/5 15/6 15/22 25/13 40/4 40/6
 40/10 40/17 42/22 43/9 43/10 49/5
 as [59]
 as-applied [2] 55/21 56/3
 aside [1] 29/7
 ask [11] 6/10 10/18 18/21 19/19 29/9
 35/9 35/23 38/21 40/12 49/21 56/12
 asked [2] 39/11 46/4
 asking [9] 27/5 27/6 28/15 28/15 28/18
 28/22 29/1 32/16 32/20
 asserted [2] 38/16 49/25
 assume [1] 24/13
 asylum [13] 14/4 14/8 14/15 22/6 22/7
 22/17 22/18 23/14 24/21 33/4 33/24
 50/3 51/16
 at [48] 2/1 7/11 7/16 7/18 9/5 11/17 12/4
 12/5 12/11 15/6 16/11 16/16 16/17
 16/18 17/3 17/10 18/10 18/15 23/5
 23/19 25/3 25/4 26/2 26/16 28/8 28/10
 29/11 29/14 30/17 32/4 33/8 40/6 40/18

56/21
 attach [2] 16/5 41/17
 attached [1] 45/22
 attempted [2] 22/22 41/14
 attorney [4] 3/19 10/8 36/17 43/15
 Attorney's [1] 1/16
 August [1] 16/8
 August 1st [1] 16/8
 authority [8] 2/24 15/13 26/1 34/10
 38/23 38/24 42/14 49/2
 authorizes [1] 49/6
 automatic [3] 6/23 9/12 9/18
 automatically [4] 6/16 7/7 9/16 10/21
 available [3] 3/14 7/23 11/9
 average [1] 36/24
 aware [1] 5/1
 away [2] 55/9 55/10

B

B-O-U-M-E-D-I-E-N-E [1] 26/23
 back [18] 17/1 20/20 20/22 20/25 21/15
 26/2 28/23 31/6 33/9 33/21 36/1 36/5
 40/5 41/1 42/13 44/16 52/10 52/23
 backlog [1] 11/7
 Bader [1] 55/20
 Bahamas [3] 21/1 30/7 30/9
 bar [2] 21/12 21/13
 bare [1] 37/7
 barred [1] 44/7
 base [1] 12/10
 based [8] 23/16 31/3 32/20 35/1 36/11
 38/25 50/3 50/5
 baseline [1] 10/2
 basically [3] 25/8 41/5 50/13
 basing [1] 31/10
 basis [1] 10/1
 Bay [2] 26/25 27/6
 be [91]
 Beach [1] 27/7
 because [78]
 been [69]
 before [19] 1/11 3/4 17/7 17/12 19/6
 23/18 23/21 32/19 32/24 33/1 34/12
 34/24 35/15 45/18 46/23 49/14 49/16
 50/2 50/23
 behalf [2] 2/9 2/14
 being [17] 2/21 5/4 8/11 8/17 8/18 8/18
 8/21 9/18 11/21 18/4 41/11 42/6 45/7
 45/8 54/4 54/6 54/11
 believe [1] 37/19
 beneficiaries [1] 17/16
 between [4] 13/2 35/12 51/22 56/6
 beyond [2] 26/20 30/2
 Biden [2] 13/12 13/19
 Biden Administration [1] 13/12
 big [1] 5/23
 biggest [1] 18/9
 bit [11] 5/20 11/25 12/1 13/22 16/7
 16/20 18/1 25/24 26/20 41/10 50/18
 blanket [1] 55/25
 bona [1] 9/3
 bond [6] 9/23 18/11 18/12 47/16 47/22
 47/24
 bones [1] 37/7
 border [11] 12/4 13/13 14/6 14/6 14/14
 28/3 29/15 31/25 40/19 43/9 56/1

Boulevard [3] 1/17 1/20 57/13
 Boumediene [5] 26/21 26/23 29/2 38/5
 38/6
 bound [2] 29/21 32/14
 Box [1] 1/14
 Breyer [1] 55/21
 briefing [1] 38/2
 briefly [3] 41/21 47/15 47/21
 broad [1] 34/2
 broaden [2] 30/2 54/20
 brought [5] 9/18 39/8 39/21 39/21 41/6
 Broward [3] 1/17 1/20 57/13
 bulletin [1] 11/8
 burden [1] 16/23
 Bush [4] 26/21 26/24 38/5 38/6
 but [79]
 butcher [1] 43/2

C

California [2] 19/15 19/17
 called [4] 2/1 10/8 21/7 46/4
 came [11] 3/7 3/24 13/11 14/24 28/3
 29/13 30/11 40/13 45/3 55/2 55/25
 can [53] 3/15 3/20 4/17 5/6 6/3 6/10
 6/17 7/18 10/4 11/17 13/14 17/23 17/24
 19/8 19/13 20/23 21/1 21/3 21/8 21/25
 22/12 24/18 24/22 26/22 27/20 31/12
 31/24 33/20 33/21 33/23 33/24 34/5
 34/6 35/4 35/8 36/24 37/21 41/2 41/18
 41/24 42/9 45/24 46/18 47/4 48/11
 50/15 53/10 53/14 53/17 54/8 54/21
 54/22 54/22
 can't [9] 4/19 21/13 31/4 42/8 45/7
 46/19 54/14 54/19 56/2
 cannot [3] 19/5 28/7 31/2
 capacity [1] 40/4
 carve [1] 13/20
 case [72]
 cases [12] 17/24 18/3 18/8 18/17 19/9
 27/23 34/20 45/11 50/22 51/11 55/22
 55/24
 cause [3] 1/10 8/14 47/7
 certain [2] 27/15 54/9
 Certainly [3] 5/10 53/12 53/16
 certificate [1] 24/11
 certify [1] 57/4
 challenge [8] 8/16 10/22 15/15 27/4
 28/5 40/10 55/21 56/3
 challenged [2] 15/23 28/4
 challenges [1] 26/15
 chance [4] 23/5 23/13 23/13 37/18
 change [7] 29/24 30/10 41/13 41/14
 52/22 54/21 54/22
 changed [1] 8/21
 changes [3] 13/17 30/25 53/13
 check [3] 44/22 45/1 55/9
 check-in [1] 55/9
 checked [2] 7/13 44/21
 checking [1] 29/4
 CHIRLA [9] 5/25 12/1 12/14 15/2 15/17
 21/17 24/7 31/18 49/2
 CHIRLA v. Noem [2] 5/25 49/2
 CHNV [22] 5/2 5/7 6/25 7/2 10/19 13/12
 13/19 14/18 14/20 15/18 15/19 15/19
 16/11 17/12 29/14 29/17 30/2 40/13
 45/3 52/3 53/6 53/10

CHNV as [1] 40/13
 choices [1] 33/8
 choose [1] 33/9
 church [2] 9/24 10/20
 church-going [2] 9/24 10/20
 circled [1] 52/25
 circuit [16] 10/10 16/22 16/24 17/10
 18/6 18/20 25/6 25/14 25/15 25/16
 27/13 34/18 36/18 43/15 43/16 50/19
 circumstance [1] 44/18
 circumstances [1] 43/24
 citation [2] 17/21 47/11
 cite [2] 27/17 54/3
 cited [5] 4/23 17/19 18/7 26/21 28/6
 citing [1] 27/23
 citizen [3] 22/2 22/13 53/20
 citizens [1] 41/25
 citizenship [5] 13/20 14/8 21/2 21/3
 51/9
 claim [5] 7/22 20/14 29/6 37/14 50/3
 claiming [1] 34/3
 clarification [1] 25/10
 clarify [1] 25/11
 clarity [2] 16/24 25/8
 clause [9] 3/23 10/10 27/9 28/7 38/1
 38/3 38/8 38/14 56/2
 clear [12] 9/2 13/24 14/13 17/2 20/11
 20/12 24/8 32/1 38/5 43/25 50/14 52/2
 clearly [3] 16/9 18/10 41/24
 client [4] 7/24 7/25 52/9 53/18
 clients [22] 5/8 6/7 6/24 10/14 10/19
 11/19 16/1 16/9 16/13 19/11 28/7 28/18
 29/9 32/25 33/14 38/10 38/17 49/15
 50/19 50/24 55/8 56/10
 clients' [3] 26/6 52/1 52/4
 close [2] 15/25 26/6
 co [1] 9/23
 co-counsel [1] 9/23
 Code [1] 57/5
 codified [2] 6/18 31/10
 colleagues [1] 8/24
 combatant [1] 27/4
 combatants [2] 27/1 38/7
 come [5] 13/14 20/5 42/10 42/13 44/16
 comes [2] 30/24 53/14
 coming [1] 14/5
 common [2] 32/21 52/4
 community [2] 18/14 27/14
 complete [2] 16/5 22/9
 completed [1] 23/8
 completely [6] 9/3 12/10 18/15 20/10
 21/16 52/20
 concern [2] 10/3 42/6
 concluded [1] 56/21
 concur [1] 54/7
 concurrence [1] 55/22
 Conference [1] 57/9
 conformance [1] 57/8
 confusing [1] 11/25
 confusion [2] 16/20 39/21
 Congress [2] 31/9 43/17
 connection [1] 33/11
 connections [1] 33/13
 consequence [1] 55/12
 consequences [5] 31/12 32/9 32/10
 54/7 55/17
 consider [1] 15/11

consideration [4] 1/10 7/26 20/15
 32/15
 Constitution [1] 50/17
 constitutional [1] 38/23
 constitutionally [1] 10/5
 contexts [1] 55/7
 continue [1] 11/13
 continuous [1] 5/13
 continuously [1] 4/5
 contrary [1] 48/9
 conversation [1] 51/25
 convoluted [1] 16/8
 copies [1] 17/6
 copy [4] 16/5 45/24 46/3 46/8
 corpus [1] 34/20
 correct [13] 13/21 14/9 14/18 18/23
 19/2 21/3 22/14 22/15 22/15 28/18 30/3
 40/16 57/6
 corrected [2] 21/21 45/22
 could [36] 5/18 7/15 9/4 14/15 14/15
 15/11 18/23 20/9 20/15 23/6 23/15 26/9
 26/10 27/8 29/24 30/1 30/1 30/2 31/12
 31/15 32/4 33/2 33/2 33/4 33/5 33/9
 35/18 36/12 37/8 37/11 44/20 45/10
 47/18 50/7 52/1 53/9
 couldn't [1] 23/7
 counsel [7] 2/6 2/19 9/23 17/5 45/25
 48/24 49/4
 count [1] 7/24
 countries [8] 3/25 30/2 30/6 30/12
 30/15 33/13 37/17 53/11
 country [27] 12/7 19/5 19/18 20/7 20/22
 21/6 21/9 21/9 21/13 24/23 33/9 33/10
 33/18 36/9 38/13 41/25 42/9 42/11
 42/13 42/15 42/17 43/7 43/21 43/22
 44/16 45/15 51/19
 couple [13] 3/7 5/11 8/3 15/11 18/3
 18/17 22/4 22/8 28/9 48/25 49/14 51/11
 52/8
 course [1] 54/14
 courses [1] 48/16
 court [96]
 Court's [2] 3/13 48/19
 courthouse [1] 16/12
 courts [3] 28/25 34/19 45/11
 covered [1] 48/14
 crafted [1] 37/25
 CRC [2] 1/19 57/12
 created [2] 13/12 20/14
 credible [14] 22/20 22/23 23/2 23/4
 28/4 28/16 34/1 35/19 35/23 36/5 39/7
 49/18 49/22 49/25
 criminal [3] 9/5 9/25 29/13
 criteria [1] 10/2
 crossed [1] 31/25
 crossing [1] 13/13
 crossings [1] 14/14
 CRR [2] 1/19 57/12
 crucial [1] 28/8
 crux [2] 20/17 30/19
 Cruz [1] 48/4
 Cuba [9] 3/7 6/20 19/15 20/25 23/15
 33/15 33/21 36/1 36/5
 Cuban [18] 3/8 6/7 6/11 6/14 6/18 6/23
 7/1 7/3 7/4 8/15 8/18 11/10 13/25 14/9
 16/11 29/18 40/23 42/7
 Cuban Adjustment [1] 11/10

Cuban Adjustment Act [1] 3/23
 Cubans [11] 6/17 6/24 8/21 11/3 13/24
 41/3 41/4 41/7 41/8 41/10 41/16
 current [6] 14/17 29/19 29/21 29/24
 41/12 44/21
 currently [6] 5/16 5/17 18/5 23/7 39/23
 52/15
 cusp [2] 7/16 10/15
 cut [2] 13/16 38/24
 CV [2] 1/2 2/5

D

D.C [16] 5/24 15/13 15/16 15/24 16/2
 16/22 17/10 17/21 26/16 35/13 38/22
 39/20 39/23 40/8 55/14 56/9
 D.C.'s [1] 17/1
 dangers [1] 14/5
 date [6] 4/6 20/4 21/2 36/3 44/25 51/4
 dated [1] 48/4
 day [2] 6/13 30/15
 DAYAMI [3] 1/3 3/6 48/3
 days [3] 8/3 24/12 52/8
 deadline [1] 37/21
 deal [1] 5/23
 dealing [3] 3/19 27/19 28/1
 deals [1] 3/24
 dealt [5] 10/11 11/16 26/25 28/2 51/12
 December [1] 57/12
 decide [1] 19/9
 decided [3] 14/15 14/19 18/18
 decides [1] 9/11
 decision [28] 16/16 16/25 17/1 18/13
 25/2 25/5 25/6 25/14 26/2 27/13 29/22
 31/18 34/13 34/16 49/3 49/3 49/8 49/12
 50/17 53/6 54/3 54/14 54/16 54/21
 54/22 56/8 56/14 56/16
 decisions [1] 15/12
 declare [1] 53/5
 deemed [2] 40/20 44/15
 defect [1] 28/19
 defined [1] 4/21
 definitely [1] 14/11
 definition [3] 4/7 8/25 12/12
 delve [1] 5/20
 denial [2] 8/16 10/1
 denied [2] 33/7 49/22
 deny [3] 9/7 10/17 10/23
 departure [3] 23/15 24/22 33/5
 depend [1] 21/5
 deport [1] 49/17
 deportation [4] 20/2 21/14 21/20 29/12
 deported [6] 19/12 19/20 19/21 21/11
 23/7 45/8
 described [5] 3/22 3/23 4/7 4/9 11/16
 designate [2] 3/20 11/18
 designated [1] 27/1
 designation [8] 4/8 4/14 4/16 11/17
 39/24 40/2 40/3 49/4
 designed [1] 13/13
 detain [2] 23/12 31/15
 detained [10] 12/4 12/6 12/18 12/19
 13/4 13/4 18/4 31/13 31/13 37/17
 detainees [1] 26/25
 detention [7] 10/12 15/7 28/15 47/17
 47/24 52/13 52/14
 determination [4] 4/6 24/4 28/16 48/3
 determined [1] 24/24
 developed [1] 27/15

DHS [3] 3/20 11/17 43/25
 dictionary [1] 12/12
 did [26] 2/25 6/15 9/22 9/23 13/8 25/10 31/16 32/8 32/11 35/15 35/23 37/5 37/7 41/1 41/17 42/10 42/14 42/18 44/19 45/1 45/21 46/16 47/13 48/8 48/9 55/14
 didn't [12] 6/21 14/13 23/18 25/22 32/8 32/9 35/6 36/1 45/20 47/7 47/9 56/5
 difference [2] 18/9 54/10
 differences [1] 51/21
 different [9] 10/5 11/3 18/1 18/15 40/24 40/25 43/4 52/7 52/21
 diplomatic [2] 3/25 6/20
 direct [1] 34/23
 directly [2] 7/22 35/2
 DIRECTOR [1] 1/7
 disagree [1] 47/7
 disagrees [1] 53/14
 disclaimed [1] 40/9
 discrete [5] 5/13 32/7 52/19 54/5 54/6
 discretion [3] 8/14 10/2 44/1
 discretionary [3] 7/6 8/10 9/6
 discrimination [1] 9/17
 discuss [1] 41/24
 discussing [1] 39/25
 discussion [3] 12/15 15/2 17/20
 dispatch [1] 36/8
 disposed [1] 28/25
 disqualified [2] 11/21 31/20
 disqualifying [2] 9/22 31/17
 distinction [5] 7/8 28/12 28/14 28/20 43/19
 distinctions [2] 28/8 56/6
 DISTRICT [28] 1/1 1/1 1/11 5/24 15/24 16/16 17/1 17/2 17/21 17/22 17/25 25/1 25/4 25/20 26/2 26/14 34/13 34/19 34/22 35/13 40/7 49/3 49/8 49/11 54/2 55/14 57/3 57/4
 do [46] 3/25 8/8 10/4 14/4 14/11 18/17 20/23 21/1 22/19 23/15 28/25 29/1 31/15 32/4 33/20 33/21 33/23 33/24 34/3 34/7 34/10 35/18 36/19 39/11 41/9 42/14 42/18 43/21 44/23 44/25 45/17 48/2 48/6 48/16 49/11 49/20 50/14 51/10 52/5 53/14 53/24 54/15 54/21 55/13 56/12 57/4
 document [2] 24/11 49/15
 documentation [2] 9/3 48/7
 documentations [1] 2/21
 documents [2] 21/22 43/12
 does [10] 19/21 21/24 26/3 35/6 36/10 40/8 42/17 42/19 47/12 49/15
 doesn't [15] 4/24 6/4 7/8 20/13 23/17 23/24 30/22 34/15 36/19 37/25 47/8 49/20 51/7 52/22 53/2
 doing [2] 29/7 37/12
 domicile [1] 13/7
 domiciled [2] 18/11 28/11
 don't [29] 2/21 5/17 8/12 9/17 9/19 10/16 16/22 17/14 19/12 23/7 24/13 26/8 29/12 30/17 32/2 32/5 34/4 34/13 36/3 36/4 36/6 37/19 37/22 38/17 45/6 48/22 53/4 53/10 54/13
 done [5] 29/1 31/1 50/8 50/22 53/8
 down [2] 5/2 31/24
 dry [4] 6/16 6/17 6/23 41/1
 due [4] 22/24 38/16 43/1 50/5

E
 E-N-D-O [1] 29/3
 Each [1] 54/15
 earlier [2] 11/22 21/23
 easier [1] 8/16
 East [3] 1/17 1/20 57/13
 effect [13] 16/21 16/25 17/1 17/17 24/15 25/14 26/3 26/8 26/9 31/17 41/16 49/9 56/16
 effectively [2] 24/16 34/4
 effort [1] 20/14
 efforts [1] 5/2
 either [5] 9/19 10/19 15/8 19/15 53/4
 Eleventh [1] 18/6
 Eleventh Circuit [1] 18/6
 eligibility [1] 9/10
 eligible [6] 7/10 9/4 14/16 40/1 40/20 47/24
 else [6] 2/22 2/25 19/16 29/13 29/16 56/18
 elsewhere [1] 43/7
 email [1] 35/21
 emphasized [1] 26/18
 emphatic [1] 15/2
 en [1] 8/22
 end [2] 6/21 36/9
 ended [2] 6/15 6/19
 ending [1] 15/17
 Endo [2] 29/3 29/3
 enemy [3] 27/1 27/4 38/7
 enemy-combatant [1] 27/4
 enforced [2] 8/17 8/19
 enforcement [2] 13/2 51/2
 enter [1] 21/13
 entered [5] 12/7 16/11 19/5 31/22 52/9
 entitled [8] 10/21 22/23 42/25 43/12 43/22 43/25 45/18 57/7
 entry [12] 12/5 16/16 16/18 17/3 18/10 19/4 25/4 28/10 32/1 32/4 43/6 49/7
 equitably [1] 18/6
 error [1] 21/22
 especially [1] 43/20
 ESQUIRE [2] 1/13 1/16
 established [2] 13/7 27/14
 et [3] 1/7 2/4 2/5
 even [19] 5/4 7/14 11/9 16/5 18/25 18/25 22/24 29/2 29/19 31/10 38/3 43/4 43/7 45/4 45/20 50/2 50/23 53/20 55/15
 ever [3] 24/1 31/4 34/23
 everybody [1] 45/9
 everyone [4] 2/2 19/16 40/12 45/2
 evidence [3] 46/1 46/15 48/8
 Ex [2] 29/2 29/3
 exact [2] 11/9 36/3
 exactly [2] 36/6 47/10
 example [10] 5/15 10/25 11/7 20/20 33/2 47/4 50/4 51/11 53/9 55/8
 exceed [1] 4/19
 exceeding [1] 4/20
 exception [3] 42/23 44/2 48/20
 exceptions [2] 22/5 22/8
 excluded [2] 41/3 41/10
 exclusion [1] 41/4
 executive [4] 29/23 31/7 54/12 54/14
 exempt [2] 11/20 41/16
 exhibit [3] 39/16 41/18 41/20

F
 exhibits [1] 18/12
 expedite [1] 8/2
 expedited [58]
 expediting [1] 19/10
 expeditiously [2] 40/3 41/11
 expiration [1] 55/16
 expired [6] 5/18 6/5 14/13 53/21 53/22 54/11
 explain [1] 17/25
 explaining [1] 55/14
 extend [3] 14/19 30/1 53/9
 extends [1] 5/14
 extensive [1] 18/14
 extradited [1] 42/7
 extremely [1] 56/9

 face [1] 14/5
 facie [1] 9/4
 fact [17] 6/2 6/23 10/6 15/1 18/13 18/18 21/18 28/22 34/8 39/1 39/2 42/2 50/8 52/11 52/22 53/22 55/11
 fact-intensive [1] 28/22
 facts [4] 26/6 26/7 43/4 52/10
 fairly [2] 13/3 35/8
 fall [2] 55/2 56/10
 falls [1] 55/4
 family [1] 18/14
 far [5] 10/10 36/6 38/18 41/15 51/7
 fashion [1] 32/13
 faster [1] 37/2
 favor [1] 15/10
 favorable [2] 11/4 38/11
 favorably [1] 8/7
 fear [16] 22/20 22/23 23/3 23/4 28/4 28/16 34/1 35/19 35/23 36/5 39/7 39/12 45/8 49/18 49/22 49/25
 February [1] 15/20
 federal [5] 1/20 14/23 28/25 57/2 57/13
 FELIX [2] 1/13 2/9
 felix.montanez [1] 1/15
 felonies [1] 25/12
 fide [1] 9/3
 FIELD [1] 1/6
 fields [1] 41/10
 fight [1] 33/22
 figure [1] 33/20
 file [2] 37/5 37/21
 filed [14] 2/21 2/22 2/23 7/12 7/17 8/1 16/14 22/18 24/12 37/2 38/19 45/9 45/12 49/1
 files [1] 44/23
 filing [2] 21/19 23/25
 filings [1] 2/19
 first [11] 3/5 3/10 3/16 12/3 16/10 24/10 26/5 26/13 39/7 40/19 46/14
 five [6] 21/13 31/24 37/3 44/7 44/16 54/20
 five months [1] 37/3
 five years [3] 31/24 44/7 44/16
 five-year [1] 21/13
 flight [1] 19/16
 flights [1] 19/14
 FLORIDA [7] 1/1 1/4 1/18 1/21 17/25 57/4 57/14
 flsd.uscourts.gov [2] 1/21 57/14

folks [1] 30/11
follow [1] 46/16
follows [1] 32/3
Foot [4] 6/16 6/16 41/1 41/1
Foot/Dry [1] 41/1
force [1] 46/19
forces [1] 14/6
foregoing [1] 57/5
form [2] 50/1 51/9
formal [1] 35/17
format [1] 57/8
forms [1] 50/7
Fort [4] 1/4 1/18 1/21 57/14
forth [3] 19/22 20/22 21/15
found [4] 34/20 35/2 41/8 41/9
four [3] 15/23 28/8 54/20
framework [1] 12/14
free [1] 32/1
front [2] 20/18 45/13
full [2] 3/25 50/6
fully [2] 56/8 56/10
fundamental [3] 3/4 25/21 27/12
fundamentally [1] 7/21
further [11] 5/6 6/18 10/14 18/19 42/4
43/14 46/15 48/21 50/19 51/21 51/23
future [2] 5/14 44/24

G
GARRETT [1] 1/6
gave [4] 18/12 23/23 39/9 53/8
general [6] 3/19 7/6 10/8 29/10 36/17
43/15
generic [1] 11/4
Georgia [1] 1/14
get [23] 6/24 9/8 11/11 16/20 20/3 20/8
21/16 23/5 29/15 37/1 45/10 45/13
45/14 45/15 45/15 46/3 46/5 46/21 47/4
52/16 54/8 54/14 56/5
getting [5] 6/21 7/16 8/22 10/15 51/18
gina [6] 1/19 1/21 57/2 57/12 57/12
57/14
Ginsberg [1] 55/20
give [10] 23/5 32/23 37/21 41/18 42/20
49/15 49/17 50/15 53/2 53/17
given [12] 17/5 21/22 22/21 22/25 23/2
23/20 33/25 35/19 39/9 50/1 50/9 55/7
gives [2] 34/2 47/5
giving [1] 22/22
go [23] 3/2 8/5 12/1 19/8 20/20 20/24
20/24 23/18 26/1 28/23 32/24 33/9
33/21 34/24 35/15 36/1 36/4 40/5 48/13
49/16 50/2 52/18 55/8
goes [3] 26/20 31/6 52/10
going [25] 3/16 7/19 9/24 10/20 14/5
15/21 16/21 21/11 24/23 31/11 31/25
49/12 49/17 51/14 51/17 52/4 52/5
52/23 54/16 54/17 54/23 55/13 55/23
56/12 56/12
good [7] 2/2 2/11 2/12 2/13 2/15 53/17
55/13
got [3] 9/9 25/19 47/14
gotten [1] 10/12
govern [1] 12/16
Government [40] 2/6 4/15 4/17 5/1 8/5
9/11 12/13 13/11 14/24 15/10 16/20
18/7 20/15 21/19 21/21 22/21 23/11
23/23 25/9 25/19 25/22 27/17 28/6

34/23 36/19 37/1 37/9 37/21 40/2 48/7
49/6 50/8 51/24
Government's [3] 11/22 32/3 36/7
grammar [1] 5/20
grant [10] 8/5 8/6 8/8 8/9 8/12 9/11 9/19
42/1 42/17 44/3
granted [10] 8/11 8/13 9/16 10/22 15/10
22/6 34/11 37/4 44/13 52/9
group [2] 54/20 55/2
Guantanamo [3] 26/25 27/6 38/12
guards [1] 30/10
guess [3] 9/17 29/23 52/25

H
habeas [20] 3/13 3/14 7/21 7/22 8/4
20/12 21/24 24/12 26/19 27/2 27/5 27/6
28/5 29/4 34/19 37/23 38/19 39/16
41/17 45/22
had [31] 10/11 10/12 10/19 11/7 12/7
13/5 13/12 16/17 19/20 25/10 27/1 27/2
37/18 40/6 42/12 43/17 43/19 46/3
47/22 49/22 50/9 51/3 51/11 51/25 52/5
52/16 53/21 53/21 53/22 55/8 55/22
hadn't [1] 25/8
Haiti [2] 10/25 21/1
Haitian [3] 3/8 11/5 29/18
Haitians [2] 10/19 14/2
half [8] 12/7 28/11 29/11 29/14 30/13
30/17 30/20 36/24
hands [1] 46/3
happen [6] 7/15 32/8 32/9 32/9 32/11
54/23
happened [6] 7/6 7/7 19/21 32/8 44/3
44/20
happening [3] 6/8 43/10 43/13
happens [2] 32/24 55/7
harm [2] 16/23 25/9
has [65]
have [144]
haven't [5] 7/13 33/25 35/2 37/18 37/19
having [2] 14/5 52/25
he [11] 6/15 28/3 28/4 44/9 46/3 47/22
53/18 53/19 53/19 53/20 53/21
head [1] 46/1
hear [1] 35/6
hearing [4] 33/19 45/18 46/2 51/16
hearings [1] 51/15
held [2] 43/6 57/7
Hemisphere [1] 3/25
here [54] 3/5 4/12 5/11 5/21 6/8 9/23
11/15 12/17 13/11 13/19 18/10 18/16
20/20 20/23 21/16 22/12 22/12 23/10
27/7 27/7 29/7 29/10 29/11 29/14 30/13
30/17 30/20 30/21 34/24 37/5 37/20
38/12 40/8 42/20 43/10 43/24 44/13
44/13 44/18 45/12 46/8 48/11 48/15
50/11 50/11 51/4 51/5 51/6 51/14 51/20
55/5 55/23 56/4 56/5
Here's [1] 9/15
hereby [1] 57/4
Hey [1] 21/2
him [1] 46/2
his [6] 6/13 19/17 46/1 53/19 53/20
53/21
historical [1] 11/3
history [4] 9/5 9/25 12/1 16/7
holds [1] 45/2

home [1] 21/9
homeland [1] 20/25
honor [26] 2/13 3/1 5/10 8/20 9/14 9/21
10/7 10/24 14/20 19/2 19/23 21/6 21/17
23/9 24/3 30/18 41/23 48/10 48/23 50/9
50/22 51/11 53/16 54/3 55/18 56/19
HONORABLE [1] 1/11
honoring [1] 14/18
hopefully [2] 33/22 52/15
hotly [1] 5/4
how [6] 5/8 5/25 12/15 26/8 27/8 40/22
however [4] 20/19 22/19 23/10 50/19
Humanitarian [1] 3/9
hundred [1] 54/7
hundreds [3] 55/3 55/4 55/5
hypothetically [3] 19/20 30/5 33/6

I
I'll [1] 27/22
I'm [26] 2/6 3/16 4/18 4/18 7/14 14/24
18/23 23/24 24/1 24/10 27/5 27/5 27/6
30/14 30/25 31/9 31/10 44/9 46/21
46/23 46/24 47/8 47/18 49/23 56/12
56/12
I've [3] 4/23 9/9 17/24
I-160s [1] 45/24
I-485 [1] 19/24
I-860s [2] 21/21 45/21
ICE [6] 1/6 13/2 13/2 15/20 55/9 55/9
identical [2] 15/25 16/1
if [100]
ignored [1] 49/12
II [2] 3/17 11/15
iii [2] 3/17 11/15
ill [1] 23/11
ill-advised [1] 23/11
illustration [1] 53/18
immediately [1] 4/5
immigrant [3] 10/12 43/17 50/21
immigrants [3] 29/10 51/8 55/3
immigration [28] 4/3 6/3 10/7 13/18
18/19 19/6 19/7 23/12 23/13 23/19
23/21 24/19 24/21 26/12 32/19 32/24
33/19 34/9 34/25 35/16 35/20 37/18
45/19 49/14 49/16 50/2 50/10 51/14
impediment [2] 8/10 10/3
implement [1] 29/22
importance [1] 55/15
important [8] 6/9 16/5 17/4 25/25 26/17
28/21 35/12 56/10
in [217]
INA [1] 6/4
inadequate [1] 28/17
inadmissibility [2] 4/6 48/3
inadmissible [2] 40/20 43/11
inclined [2] 8/5 37/11
include [4] 30/2 30/6 53/10 53/10
including [1] 15/19
incorrect [1] 25/12
indeed [2] 5/9 22/1
indefinitely [2] 5/14 53/3
individual [1] 16/10
individuals [4] 10/11 10/12 11/18 28/14
influx [1] 41/7
informal [1] 20/16
information [1] 9/22
initial [2] 21/19 37/3

initials [2] 16/10 26/6
initiated [1] 13/19
inquiry [1] 28/23
instance [1] 30/5
instead [1] 22/21
intensive [1] 28/22
intention [2] 14/11 14/14
interested [1] 49/18
interfere [1] 44/20
internment [1] 29/2
interplay [1] 35/12
interpretation [1] 12/10
interview [11] 19/25 20/1 20/5 20/9
22/20 23/4 34/1 35/19 35/24 36/6 49/18
into [14] 4/2 5/14 5/20 12/1 13/4 15/18
16/21 23/5 23/16 32/14 42/10 44/16
54/4 56/8
investigate [1] 47/6
invitation [2] 3/8 13/11
invoke [7] 10/9 15/7 27/9 27/16 28/7
38/14 56/2
invoked [1] 27/10
involved [2] 52/8 54/15
involves [1] 43/17
irreparable [2] 16/23 25/9
irrespective [1] 49/24
is [182]
Islands [1] 30/8
isn't [1] 30/20
issue [25] 7/9 17/18 19/23 20/15 20/18
22/12 24/19 25/24 26/12 31/14 31/16
34/6 34/12 34/21 35/9 37/25 38/23 39/8
44/12 45/17 47/9 52/6 54/22 56/14
56/14
issued [9] 15/20 16/8 24/5 25/20 26/15
31/16 36/14 52/19 54/12
issues [4] 8/7 10/20 22/12 35/3
it [160]
it's [43] 4/8 4/24 5/7 6/7 6/11 7/20 8/13
9/15 9/16 10/10 14/8 17/9 17/9 20/25
21/18 24/7 24/12 25/2 25/3 25/7 27/25
28/1 29/1 29/3 29/6 32/17 34/3 34/5
34/18 35/1 35/25 36/21 36/25 37/16
39/15 39/16 45/3 49/1 49/24 53/4 54/2
54/23 55/25
item [1] 39/17
items [1] 15/23
its [1] 29/24
itself [1] 36/12

J

Jamaica [1] 30/9
January [2] 4/16 13/10
January 2024 [1] 13/10
Japanese [1] 29/2
job [1] 55/13
joint [1] 13/2
judge [25] 1/11 2/17 11/14 19/6 19/7
23/13 23/19 23/21 24/21 27/5 32/19
32/24 33/1 33/20 34/25 35/9 35/16
35/20 37/18 45/19 48/12 48/25 49/14
49/16 50/2
judicial [2] 38/9 57/9
July [6] 12/19 37/16 38/18 39/10 46/14
48/5
July 6th [6] 12/19 37/16 38/18 39/10
46/14 48/5

jurisdiction [1] 34/3 37/26 38/3 38/4
38/6 41/22 42/1 42/4 47/25 48/15 48/19
just [42] 4/23 5/23 6/22 7/6 8/2 9/9 9/19
12/21 16/2 17/5 17/19 20/11 23/21
24/18 29/1 29/10 30/12 30/22 31/22
34/17 35/21 37/8 39/8 42/2 45/7 45/10
45/12 46/24 47/4 47/12 47/15 47/21
49/21 50/9 51/23 51/24 52/8 52/9 53/2
54/4 55/1 56/5
Justice [2] 28/13 28/24
Justices [1] 55/20
juvenile [2] 10/13 50/21
juveniles [1] 43/17

K

KELSI [2] 1/16 2/13
kelsi.romero [1] 1/18
key [10] 4/13 4/22 4/25 5/19 12/6 12/18
16/4 31/21 51/3 51/3
Key West [4] 12/6 12/18 51/3 51/3
kind [8] 5/20 6/19 11/25 22/22 28/24
37/7 42/15 51/18
know [34] 2/20 2/21 7/14 7/24 12/13
13/16 16/13 17/13 18/7 19/12 20/21
22/13 24/13 25/8 30/22 33/18 35/4 36/3
36/6 36/6 36/18 38/17 38/18 41/23
42/10 44/4 45/6 46/6 48/15 49/1 50/6
51/16 54/19 56/2
knowledge [1] 17/9

L

laid [3] 41/23 51/21 56/5
land [2] 6/17 6/23
landed [2] 6/17 6/23
language [8] 4/22 5/21 5/22 12/8 12/11
12/15 20/12 35/1
Lankan [2] 28/1 28/2
last [3] 6/12 6/13 23/25
later [1] 56/15
latest [1] 17/13
latitude [1] 34/2
Lauderdale [4] 1/4 1/18 1/21 57/14
law [6] 1/13 13/2 32/21 43/25 51/2
54/18
lawful [1] 42/3
lawfully [1] 48/17
lawless [2] 34/4 34/5
lawsuit [3] 15/16 15/16 15/24
least [6] 23/5 28/8 29/11 29/14 30/17
33/8
leave [2] 42/13 44/19
left [3] 14/12 21/6 21/6
legal [3] 24/18 54/7 55/11
legally [2] 13/14 24/6
lengthy [1] 16/6
less [1] 13/23
let [10] 6/10 10/18 18/21 19/19 20/20
23/2 24/8 29/9 40/12 49/21
let's [11] 19/19 19/20 20/23 20/24 29/23
30/5 30/6 30/9 32/22 44/4 44/12
letter [1] 35/21
level [3] 26/16 26/16 41/9
lifted [4] 25/6 25/16 25/17 25/23
like [16] 5/15 11/1 11/12 22/2 22/5
23/24 25/7 25/14 26/4 35/3 36/21 41/18
47/4 51/15 54/4 55/2
likewise [1] 53/23

limit [2] 48/19 54/20
limited [3] 21/25 41/22 48/15
line [6] 39/16 39/17 45/7 45/9 45/10
45/14
litany [1] 23/6
Literally [1] 55/9
litigated [2] 5/5 5/7
litigation [3] 8/25 13/17 38/22
little [12] 5/20 11/25 12/1 13/22 16/7
16/20 25/24 26/19 26/20 41/10 47/19
50/18
LLC [1] 1/13
local [1] 13/2
locations [1] 23/22
long [1] 6/22
longer [4] 41/6 41/10 43/8 55/23
look [8] 12/11 23/24 26/2 54/10 54/17
56/3 56/3 56/7
looked [2] 9/5 55/20
lot [8] 8/22 13/17 26/21 39/21 39/21
39/25 41/6 50/22
louder [1] 47/19

M

M.A.R [2] 16/11 26/5
ma'am [1] 48/13
made [2] 5/25 52/2
main [4] 19/10 33/11 38/2 48/14
make [7] 7/8 8/15 9/9 13/18 23/10 24/4
25/10
makes [3] 32/7 54/16 56/8
making [1] 5/23
mandamus [9] 7/23 8/2 37/3 37/5 37/13
37/14 45/9 45/11 45/13
mandatory [2] 47/17 47/24
manner [1] 19/4
many [3] 55/3 55/6 55/7
March [4] 14/23 15/20 40/13 40/16
March 2025 [2] 14/23 15/20
mark [1] 48/11
married [2] 3/6 53/20
marries [1] 11/2
Martinez [1] 43/15
mass [1] 41/7
Massachusetts [1] 17/21
masse [1] 8/22
matter [7] 6/4 20/17 20/25 30/22 34/12
36/23 57/7
maximum [4] 4/18 4/19 4/20 11/17
may [15] 2/2 2/18 3/3 7/14 8/23 8/23
9/10 11/13 14/10 20/21 39/5 43/24
46/11 51/15 54/24
maybe [4] 13/22 14/12 14/13 53/17
me [25] 5/23 6/10 9/15 10/18 17/5 18/21
18/23 19/19 20/20 21/22 23/2 23/24
24/8 29/9 32/20 32/22 35/21 35/22
40/12 46/4 46/23 49/21 50/11 53/5
56/13
mean [9] 19/22 29/10 30/8 32/2 46/19
47/8 47/13 51/7 53/18
means [6] 4/24 10/18 11/17 12/11
12/12 26/10
measures [1] 15/19
meet [1] 9/10
memoranda [1] 31/8
memorandum [1] 15/21
mention [1] 55/19

mentioned [12] 11/15 23/16 30/12
41/21 42/25 43/2 45/19 47/16 47/21
50/6 50/18 52/8
mentioning [1] 15/1
mentions [1] 49/4
merely [1] 18/16
Mesa [1] 19/16
met [3] 10/2 16/23 25/8
Mexico [5] 19/15 19/17 33/16 36/8 42/7
MIAMI [1] 1/6
might [6] 14/11 21/14 27/17 31/15
45/15 45/15
mind [1] 29/24
mine [1] 8/24
minimal [1] 22/24
minimum [1] 4/18
misplaced [1] 43/16
mistaken [1] 14/24
model [2] 16/24 25/7
moderate [2] 32/17 32/17
moment [7] 7/11 7/15 34/8 49/10 52/19
54/5 54/6
moments [2] 5/13 32/7
Monday [1] 56/13
MONTANEZ [2] 1/13 2/9
months [9] 7/13 8/1 12/20 18/25 36/22
36/24 36/24 37/3 37/13
moot [2] 35/5 37/10
more [9] 4/12 11/4 12/6 18/5 30/21
37/13 38/10 43/1 50/18
most [3] 15/12 17/22 27/13
motion [5] 1/10 9/23 16/14 18/11 40/10
motor [1] 12/21
move [1] 37/2
moving [2] 19/22 36/7
Mr. [3] 19/14 19/15 29/6
Mr. Pitaluga [3] 19/14 19/15 29/6
Ms. [3] 2/15 19/14 29/7
Ms. Roldan [2] 19/14 29/7
Ms. Romero [1] 2/15
much [2] 10/14 38/10
my [43] 2/9 5/3 6/7 6/11 6/24 8/4 9/8
9/22 10/3 10/14 10/16 11/19 12/24 16/1
16/9 16/13 17/9 18/22 19/5 19/11 19/15
20/11 24/3 24/15 26/6 26/18 28/7 28/18
34/7 35/25 36/4 38/10 38/17 41/17 46/3
49/13 49/15 50/19 50/24 54/21 55/12
56/10 56/16

N

name [3] 2/9 28/8 43/2
narrow [1] 22/12
nation [1] 26/16
national [2] 26/16 28/1
nationals [1] 42/7
nationwide [6] 16/3 17/2 24/16 24/25
25/18 26/4
near [3] 44/24 52/1 56/1
necessarily [1] 19/25
need [3] 28/5 46/1 46/6
needed [1] 41/9
negative [1] 28/4
neither [1] 49/6
neutral [1] 50/17
never [4] 7/18 24/5 24/5 24/9
new [6] 28/15 30/10 30/11 30/14 30/24
31/2

Nicaragua [1] 1/17
Nicaraguan [4] 3/9 10/20 11/5 29/18
Nicaraguans [1] 14/2
nine [2] 7/13 36/22
nine months [2] 7/13 36/22
no [56] 1/2 8/10 9/5 9/6 9/8 9/22 9/25
10/20 10/20 11/7 20/25 23/4 23/20
23/23 24/16 24/17 24/17 26/10 30/14
33/8 33/10 33/13 34/3 34/17 34/22
35/20 36/12 37/20 38/11 39/13 39/16
41/6 41/10 42/1 42/4 42/21 42/23 44/2
44/9 45/3 45/4 46/1 46/10 46/21 48/19
48/21 49/9 49/10 49/13 50/10 50/13
52/3 52/6 53/25 56/14 56/19
nodding [1] 45/25
Noem [9] 5/25 12/2 12/14 15/2 15/17
21/17 24/7 31/18 49/2
noncitizens [3] 4/17 10/9 54/9
Nonetheless [1] 5/5
not [138]
note [2] 6/3 25/25
noted [3] 3/16 28/8 28/12
nothing [1] 10/3
notice [20] 2/23 14/24 15/13 23/20 24/9
24/19 24/23 26/1 26/12 37/21 45/20
48/2 48/8 48/9 49/2 49/14 49/16 49/19
50/10 50/15
notices [2] 25/11 33/17
notification [1] 48/6
notify [2] 20/4 21/2
nots [1] 4/9
now [21] 17/8 17/17 20/18 21/23 24/6
24/7 26/3 29/20 31/9 33/25 35/3 35/6
36/22 40/17 44/5 52/14 52/16 53/18
54/13 54/23 55/3
nowhere [1] 52/1
NTA [8] 26/12 31/14 32/23 34/6 34/12
35/10 36/14 38/23
number [3] 2/5 22/13 41/18
numbers [1] 7/13
NUÑEZ [3] 1/10 2/4 48/4

O

Obama [2] 6/15 41/1
Obama's [1] 6/12
obligated [1] 8/9
obtain [3] 2/11 21/3 51/9
obviously [1] 54/23
October [1] 56/15
October 2nd [1] 56/15
off [4] 12/10 13/16 24/23 33/10
off-base [1] 12/10
office [5] 1/16 6/13 30/10 30/15 51/25
officer [6] 4/3 21/20 39/11 46/16 47/5
47/7
Offices [1] 1/13
official [4] 1/20 51/19 57/2 57/13
often [2] 13/23 50/23
okay [5] 17/11 48/9 49/14 53/17 56/17
on [51] 2/9 2/14 6/17 6/23 7/15 10/1
10/15 13/3 13/18 16/8 16/11 17/2 17/7
17/24 18/5 21/5 21/6 21/20 23/16 27/13
30/14 31/3 32/20 34/4 34/14 35/1 35/2
36/11 36/11 36/24 37/12 38/18 38/19
38/25 39/10 43/14 44/22 45/1 45/23
46/3 46/13 48/4 50/3 50/5 51/3 51/20
53/7 53/19 55/24 56/14 56/15

once [6] 7/17 21/2 35/9 40/4 42/1
44/14
one [31] 5/19 6/12 8/4 11/22 12/23
12/24 15/12 15/12 18/5 18/6 18/25
21/25 22/2 22/13 23/9 24/14 25/11
27/12 28/10 30/15 30/16 33/11 35/3
37/24 38/2 43/16 45/4 49/6 53/14 54/11
54/20
ones [1] 45/22
only [13] 8/1 8/21 16/1 25/2 26/3 34/18
35/1 35/18 38/18 39/24 40/9 41/22
49/16
operating [2] 12/21 12/23
operation [2] 13/1 13/2
operative [1] 24/7
opinion [4] 17/22 28/13 34/7 34/15
opportunity [4] 22/19 33/25 42/12 50/2
opposing [2] 17/5 49/4
Option [1] 1/13
or [50] 4/1 4/11 4/12 4/23 5/7 5/22 6/1
6/5 6/22 6/24 7/7 8/18 8/23 10/22 11/1
11/5 11/11 12/4 14/8 15/25 19/15 20/4
20/5 29/6 29/12 29/13 29/14 29/15
29/18 29/22 29/24 30/1 32/8 34/11
34/21 34/24 35/21 36/8 37/6 39/12 42/7
42/14 45/3 46/7 49/24 53/22 54/8 54/13
55/16 56/1
ORAL [1] 1/10
oranges [1] 54/1
order [31] 1/10 2/1 16/5 22/1 24/5 24/16
24/17 24/18 24/18 26/9 26/10 32/18
32/19 32/23 34/5 34/6 35/9 35/10 35/13
36/12 36/13 37/9 37/22 38/1 38/24
38/25 42/2 48/2 49/10 54/12 56/16
ordered [5] 34/11 34/23 41/25 42/2
48/17
ordering [1] 26/11
orders [7] 31/7 31/14 34/18 35/4 35/7
41/23 56/13
origin [2] 19/18 33/9
original [1] 45/24
Osorio [9] 10/8 18/19 27/13 36/17
36/18 43/15 50/18 51/21 51/24
Osorio-Martinez [1] 43/15
Otay [1] 19/16
other [24] 2/19 2/19 2/21 2/22 12/24
14/2 15/9 17/18 17/19 22/4 23/22 26/18
30/2 30/6 33/8 33/15 42/13 42/14 48/19
50/7 51/8 51/11 53/5 53/11
others [1] 24/11
our [10] 3/17 11/19 29/6 31/18 32/11
38/2 39/16 40/18 43/16 45/10
out [18] 4/15 5/1 7/4 13/20 14/25 20/7
20/22 33/20 33/23 35/5 37/10 40/13
41/2 41/23 42/23 51/18 51/21 56/5
outright [1] 53/2
outside [2] 47/25 50/19
over [1] 7/13
overloading [1] 14/6
overstayed [1] 53/19
overturn [1] 31/2
overwhelmed [1] 45/11

P

p.m [4] 1/5 1/5 2/1 56/21
P.O [1] 1/14
page [2] 39/17 57/8

Page 2 [1] 39/17
Pages [1] 1/8
panoply [2] 24/20 50/6
paperwork [2] 24/2 38/20
parole [31] 3/9 4/25 5/12 5/17 5/18 6/5
6/17 6/24 7/6 7/9 8/25 9/3 14/13 21/7
21/8 31/12 31/16 32/7 40/5 40/13 40/15
42/11 42/11 42/16 43/20 52/9 52/19
54/8 55/7 55/8 55/9
paroled [39] 4/2 4/11 4/14 4/23 5/18
5/22 6/1 6/5 6/22 6/25 7/2 10/25 11/6
13/15 13/25 15/3 15/18 15/22 16/15
16/15 16/17 17/3 17/16 25/3 29/17
30/13 31/3 31/23 32/4 39/2 40/6 43/7
49/7 52/21 52/22 53/1 54/6 55/11 56/1
parolees [2] 43/20 43/20
paroles [1] 8/22
paroling [1] 31/19
part [5] 7/22 30/8 33/18 34/14 49/1
parte [2] 29/2 29/3
parties [1] 56/13
partly [2] 41/7 41/23
parts [2] 31/7 31/8
pass [1] 35/19
passenger [1] 12/24
past [5] 4/24 5/22 6/1 15/3 52/20
past-tense [1] 15/3
path [3] 13/18 14/1 14/13
pathway [4] 10/13 13/20 13/24 14/8
Patrol [1] 29/15
peaceful [1] 9/24
pendency [1] 56/8
pending [11] 5/16 7/12 8/1 33/4 38/13
38/22 42/19 42/19 43/23 44/21 50/5
people [16] 3/24 9/25 14/12 14/15
15/21 17/3 18/16 20/21 22/9 27/6 27/7
27/14 49/7 51/13 55/6 55/23
per [2] 18/13 54/8
per se [1] 18/13
percent [1] 54/7
perhaps [3] 9/21 21/3 29/14
period [3] 4/5 28/20 55/24
permanent [8] 5/16 10/14 10/21 22/5
27/8 42/3 44/13 48/18
permanently [1] 51/19
permission [3] 21/9 21/10 51/19
persecution [1] 39/12
person [1] 16/10
persons [3] 15/17 15/25 18/4
pertains [1] 22/11
petition [10] 3/17 7/21 7/24 8/4 8/6 8/16
11/1 11/7 11/11 24/13
petitioned [1] 21/7
petitioner [6] 41/21 42/25 43/1 43/3
43/14 47/22
petitioners [23] 1/4 1/13 3/5 9/24 11/19
12/3 12/23 18/10 19/5 28/7 39/9 39/19
39/25 40/1 41/6 41/24 43/8 44/19 46/19
47/16 47/21 47/22 51/20
petitioners' [3] 32/12 39/22 40/22
physical [1] 19/24
physically [2] 4/4 55/10
picked [3] 39/10 44/20 46/14
picture [1] 22/9
piece [1] 8/10
PITALUGA [8] 1/3 1/10 2/4 3/6 19/14
19/15 29/6 48/4

place [3] 27/3 39/18 39/24
placed [1] 42/22
plain [5] 5/21 12/8 12/11 12/15 35/1
plain-language [1] 12/11
plaintiff [3] 2/7 26/5 35/8
plaintiffs [7] 2/10 15/14 16/2 16/14 25/2
26/3 40/9
playing [1] 41/9
plays [1] 33/23
pleading [1] 34/24
pleadings [2] 37/12 37/12
please [3] 2/7 3/3 39/5
plenary [1] 50/3
point [25] 4/13 4/19 5/25 11/19 15/5
15/6 16/4 17/4 17/5 19/10 20/11 24/3
24/15 25/21 26/18 27/13 31/18 31/21
35/2 42/20 49/13 50/1 52/18 55/12
55/18
pointed [2] 4/15 5/1
points [10] 5/11 5/19 8/4 11/22 23/9
27/12 38/2 48/14 48/25 49/15
policies [1] 26/15
policy [4] 6/16 15/15 30/18 41/1
political [1] 22/17
Pompano [1] 27/7
port [7] 12/5 16/16 16/18 25/4 32/1 32/4
43/6
ports [2] 17/3 49/7
position [1] 38/11
possession [1] 43/11
possibility [2] 6/21 37/9
possible [4] 7/20 36/25 37/1 42/9
posture [3] 10/6 16/13 18/16
potential [1] 25/24
potentially [3] 43/8 49/17 50/7
practical [2] 16/25 25/14
practically [1] 7/16
practice [1] 15/15
practices [1] 26/16
practitioners [1] 6/3
precedent [2] 45/12 45/16
Preferential [1] 1/13
preferentially [1] 54/8
preferentialoption.com [1] 1/15
presence [1] 19/24
present [2] 3/5 4/4
president [4] 6/12 6/15 30/10 41/1
President Obama [2] 6/15 41/1
President Obama's [1] 6/12
pressure [1] 8/6
pretty [1] 16/6
prevent [2] 14/14 15/15
previous [6] 29/22 31/2 31/4 53/3 53/6
53/8
previously [1] 16/15
prima [1] 9/3
principles [1] 32/21
prior [2] 4/5 41/8
probably [1] 55/13
problem [2] 33/19 46/10
problems [2] 33/11 37/24
procedural [4] 11/25 16/7 18/16 28/18
procedure [1] 50/13
procedures [3] 27/3 29/23 46/16
proceed [3] 2/16 2/18 10/13
proceeding [1] 34/9
proceedings [20] 19/7 23/6 23/8 23/12

42/23 42/24 44/1 47/28 50/3 50/5 56/9
56/21 57/7
process [30] 7/19 10/7 10/15 11/10
18/19 18/22 19/12 19/22 20/3 20/5
20/21 20/24 22/23 22/24 23/16 23/18
27/10 28/16 31/7 34/9 36/16 38/14
38/17 43/1 44/4 44/10 50/16 50/20 55/2
56/4
processed [2] 18/24 45/7
processing [3] 45/4 52/1 52/4
produce [1] 35/4
produced [1] 35/8
program [13] 3/9 5/2 6/25 7/6 13/12
13/12 14/9 42/11 42/12 44/19 53/6
53/10 55/4
proper [3] 12/16 42/14 44/17
properly [2] 42/21 42/22
proposed [1] 56/13
prosecuted [1] 21/14
protected [3] 5/8 31/1 50/16
provide [3] 3/15 6/16 45/24
provided [5] 14/7 29/12 33/17 46/2 48/7
provision [10] 3/19 4/8 4/15 4/23 11/17
11/23 39/24 40/2 40/3 49/4
provisions [3] 3/22 8/15 41/5
published [1] 41/15
pull [1] 41/2
punches [1] 46/9
purports [1] 38/4
purposes [1] 7/7
pursuant [1] 57/4
pursue [3] 14/15 14/15 33/1
pursuing [1] 20/3
purview [1] 54/25
put [14] 12/4 13/4 15/13 19/7 23/11
23/15 25/10 31/24 32/19 35/22 40/20
41/2 44/1 53/7
puts [1] 18/15

Q
qualify [2] 8/23 9/19
question [9] 3/11 3/12 3/16 4/25 9/8
10/1 10/5 18/12 54/13
questions [2] 3/4 48/21
quickly [3] 13/3 35/5 35/8
quite [2] 32/17 56/4
quote [2] 3/22 31/3
quote-unquote [1] 31/3

R
raised [1] 48/8
raising [1] 8/4
rapprochement [1] 6/20
rather [5] 2/7 29/12 34/11 40/4 54/12
rational [2] 32/2 32/6
RE [1] 1/10
read [2] 2/25 18/22
reading [3] 32/6 32/6 46/24
ready [1] 2/16
real [1] 9/6
really [5] 21/18 26/17 28/20 32/2 35/17
Realtime [1] 57/2
reason [8] 9/6 9/11 10/16 16/9 42/4
45/8 50/11 50/11
reasonable [1] 37/16
reasons [1] 11/3
receipt [2] 7/13 48/6

receive [5] 7/5 45/20 47/13 48/8 48/9
 received [3] 7/9 24/9 24/13
 record [5] 2/8 26/22 27/20 27/24 29/13
 recourse [1] 38/9
 redacted [1] 46/13
 reduce [1] 13/13
 reference [2] 17/24 25/13
 referenced [2] 49/19 54/3
 references [1] 5/25
 referencing [2] 25/12 31/9
 referred [2] 5/12 35/20
 refuse [1] 46/18
 refused [4] 46/17 47/1 47/12 48/6
 regard [8] 6/4 6/20 11/4 15/5 17/23
 19/10 38/7 53/17
 regarding [2] 11/23 53/6
 regardless [2] 14/7 31/1
 Register [1] 14/23
 regular [1] 8/16
 regulation [1] 41/2
 regulations [2] 40/10 57/9
 reinstated [2] 24/14 25/21
 relatedly [1] 28/22
 relates [1] 10/9
 relations [2] 4/1 6/20
 relationship [3] 27/15 38/11 38/13
 relative [3] 11/1 11/7 11/11
 relatively [1] 35/4
 release [5] 28/15 37/22 38/1 38/24
 38/25
 released [2] 36/19 52/16
 reliance [1] 43/14
 relief [5] 3/14 7/23 20/13 50/1 50/7
 remain [3] 43/22 51/19 56/16
 remanded [1] 18/7
 removal [68]
 remove [2] 22/22 23/22
 removed [11] 39/12 40/21 41/3 41/11
 41/25 42/3 42/7 42/9 44/6 44/14 48/17
 removing [1] 40/3
 reply [1] 26/19
 reported [2] 1/19 57/7
 Reporter [3] 1/20 57/3 57/13
 request [15] 7/20 21/8 22/20 23/14
 24/22 33/3 33/4 33/5 34/1 35/15 35/18
 37/6 37/11 50/7 56/7
 requested [4] 36/1 36/2 36/4 47/22
 required [3] 19/25 20/1 46/16
 requirements [1] 7/5
 requires [2] 19/24 50/18
 residence [2] 44/13 48/18
 residency [23] 5/16 6/22 7/5 7/12 7/16
 7/17 7/25 8/16 10/14 10/22 11/11 14/1
 14/16 18/14 19/11 20/3 21/8 36/22
 50/24 50/24 51/18 52/16 52/18
 residents [4] 22/5 27/8 42/3 51/15
 residual [1] 51/22
 resolution [1] 12/16
 resolve [2] 8/7 20/16
 respect [1] 13/17
 respondents [9] 1/8 1/16 2/14 24/19
 26/11 31/14 31/15 32/18 35/10
 response [1] 36/7
 result [3] 32/2 40/17 40/19
 resulted [1] 5/3
 retroactive [2] 53/4 53/7
 return [6] 11/23 18/8 21/9 39/16 41/17

returning [1] 44/7
 review [14] 3/13 21/24 21/25 26/19 27/3
 27/5 27/6 34/18 37/23 38/22 41/22 42/1
 42/5 48/16
 reviewed [1] 22/1
 reviews [1] 49/1
 rid [1] 54/8
 right [33] 2/16 2/18 3/2 7/15 13/20
 17/17 20/18 20/22 21/23 22/3 22/16
 27/2 29/20 30/1 30/9 31/6 31/9 33/25
 35/3 44/10 44/11 46/25 48/22 49/15
 52/14 53/11 53/18 54/13 54/15 54/23
 55/3 55/5 56/20
 rights [4] 23/6 24/20 43/1 50/13
 RIPA [2] 1/6 2/5
 ripe [2] 20/10 44/24
 road [1] 31/24
 RODNEY [1] 1/11
 rodriguez [6] 1/19 1/21 57/2 57/12
 57/12 57/14
 ROLDAN [5] 1/3 3/6 19/14 29/7 48/4
 roll [1] 41/1
 ROMERO [3] 1/16 2/13 2/15
 RPR [2] 1/19 57/12
 RS [1] 1/2
 rule [2] 41/15 50/3
 ruled [1] 32/13
 rules [2] 29/22 36/11
 ruling [1] 55/24

S

said [25] 4/16 13/13 16/22 17/15 21/20
 23/25 25/7 25/8 25/14 26/5 27/2 28/4
 28/16 28/24 36/20 37/2 38/7 41/5 44/9
 46/17 50/9 51/23 51/25 52/25 55/22
 salient [2] 15/12 17/23
 same [12] 6/3 6/7 11/9 13/18 36/23
 39/18 40/18 45/2 53/15 54/4 54/5 55/6
 satisfaction [1] 4/3
 Savannah [1] 1/14
 say [25] 3/22 9/17 16/9 19/19 19/21
 20/23 20/24 27/9 28/6 29/23 30/5 30/6
 30/10 30/11 30/12 32/22 35/22 36/16
 44/4 44/12 47/6 47/8 47/18 49/11 54/19
 saying [18] 7/2 7/15 7/18 10/23 15/21
 28/19 30/25 30/25 32/17 36/12 44/9
 44/12 46/1 46/23 50/14 51/1 55/1 55/25
 says [15] 4/23 5/22 18/25 25/2 25/3
 26/2 27/14 30/14 31/11 31/19 47/1 48/5
 49/5 49/8 54/18
 scene [1] 13/3
 scope [3] 3/12 21/24 51/12
 se [1] 18/13
 seated [1] 2/3
 second [3] 3/12 15/5 34/7
 secretary [1] 3/20
 Section [1] 57/5
 security [1] 14/6
 see [15] 5/21 14/12 20/15 23/13 24/21
 26/8 29/5 29/20 36/18 37/8 37/18 45/1
 45/25 46/1 54/18
 seeing [1] 24/10
 seek [2] 27/2 50/4
 seeking [4] 22/16 34/24 37/5 51/8
 seems [1] 9/15
 send [5] 33/12 33/14 35/21 36/8 37/17
 sense [2] 32/7 52/4

separate [4] 7/25 11/23 20/14 23/16
 September [5] 1/5 21/21 24/1 38/19
 45/23
 September 18th [4] 21/21 24/1 38/19
 45/23
 series [2] 4/9 15/18
 seriously [1] 38/21
 served [12] 21/20 23/25 24/1 38/18
 38/20 45/23 45/23 46/7 46/7 46/8 46/13
 46/24
 service [1] 24/12
 set [2] 45/12 45/16
 sets [1] 7/4
 seven [1] 8/1
 seven months [1] 8/1
 several [2] 24/12 39/8
 she [1] 51/25
 shipped [1] 33/10
 should [22] 10/21 12/16 15/4 15/7
 22/19 27/24 27/24 34/7 36/14 36/16
 36/19 37/19 38/14 39/12 45/12 45/13
 45/16 50/1 50/15 52/21 52/21 54/20
 shouldn't [3] 22/10 31/23 32/12
 show [3] 1/10 5/17 16/23
 showing [2] 29/4 40/18
 shown [1] 4/3
 shows [2] 18/13 48/9
 shuttled [2] 23/22 24/23
 sign [6] 46/17 46/18 46/20 47/2 47/12
 48/6
 significant [2] 5/21 21/18
 signing [1] 47/8
 SIJS [1] 50/22
 similar [3] 16/13 34/12 52/10
 similarly [2] 51/12 52/9
 simply [5] 36/12 37/19 43/22 50/9
 51/14
 since [3] 24/7 37/16 45/3
 sir [2] 2/11 2/18
 sitting [2] 3/13 51/4
 situation [6] 31/22 31/23 33/12 40/7
 42/10 44/8
 situations [1] 16/1
 six [2] 8/1 37/13
 six months [1] 37/13
 slightly [1] 11/3
 SMITH [2] 1/11 2/5
 so [124]
 So because [1] 25/22
 solution [1] 37/16
 some [16] 5/13 9/16 9/18 9/20 14/2
 14/14 17/24 21/22 34/24 38/8 42/13
 42/14 44/17 51/9 54/16 54/17
 somebody [12] 4/10 4/11 10/25 21/7
 29/5 31/25 35/21 38/11 50/20 54/4 54/6
 55/7
 somehow [1] 29/15
 someone [7] 4/9 7/5 7/17 9/9 40/18
 46/19 47/4
 something [8] 10/23 11/11 25/11 26/19
 28/24 32/20 41/9 47/16
 sometimes [6] 18/24 19/2 19/8 20/22
 37/1 51/13
 somewhat [1] 8/15
 soon [1] 52/16
 sorry [7] 2/6 4/18 4/18 16/12 34/5 35/7
 47/18

sort [4] 8/22 12/13 14/12 36/9
South [1] 30/7
South Africa [1] 30/7
SOUTHERN [3] 1/1 17/25 57/4
speak [4] 7/11 7/14 37/9 47/19
special [3] 10/12 43/17 50/20
specifically [5] 39/11 40/9 41/3 41/6 46/4
spell [2] 26/22 27/20
spent [1] 39/25
sponsor [1] 13/14
spouse [1] 11/2
squarely [1] 34/21
Sri [2] 28/1 28/2
stage [1] 36/16
stamp [1] 47/1
standard [2] 23/5 23/8
stands [1] 5/4
starting [1] 2/6
state [2] 2/7 26/10
stated [1] 49/21
statement [5] 39/11 39/15 39/18 49/24 55/25
statements [3] 39/10 39/19 46/15
STATES [18] 1/1 1/11 1/16 3/7 3/8 4/2 4/4 12/9 13/9 18/4 34/22 38/12 39/13 51/9 54/5 57/3 57/5 57/9
stating [1] 24/8
status [28] 5/13 5/15 10/13 10/22 11/5 11/6 21/16 27/4 34/24 40/5 42/14 42/15 42/16 42/17 42/20 42/21 43/18 43/20 43/21 44/13 44/17 44/22 50/5 50/21 52/10 53/2 53/20 55/11
statute [24] 5/22 5/25 11/15 11/20 12/15 20/12 22/25 23/17 26/13 26/14 29/5 31/8 32/6 32/20 34/2 34/17 35/2 36/10 36/11 37/25 38/4 38/6 39/1 51/13
statutes [4] 4/21 12/8 27/11 42/8
statutory [2] 4/18 38/22
stay [39] 1/10 14/3 14/15 16/2 16/8 16/20 16/21 16/21 17/2 17/16 21/19 24/6 24/14 24/15 24/24 25/7 25/16 25/17 25/20 25/23 25/23 25/23 25/23 26/8 26/15 35/11 35/13 36/13 39/23 40/8 40/11 42/17 44/13 45/15 49/9 49/9 49/9 53/7 56/15
stayed [2] 15/24 42/15
stenographically [1] 57/6
still [21] 4/25 5/4 5/18 6/6 8/17 8/20 8/20 10/11 11/10 13/24 14/7 17/9 17/14 21/1 21/3 27/2 31/15 33/1 39/23 41/15 55/10
stop [3] 12/6 13/3 16/21
stopped [2] 43/9 47/5
strip [1] 38/4
stripping [1] 38/6
subject [19] 3/10 3/18 3/20 4/7 4/14 4/17 15/21 28/19 29/11 29/16 30/15 31/4 31/7 31/8 31/23 47/17 47/23 49/6 50/12
subjected [4] 16/12 19/11 22/10 32/12
submissions [1] 18/22
submit [3] 9/22 9/23 56/13
submitted [1] 2/20
subparagraph [2] 3/24 4/10
subsequent [3] 31/11 36/15 55/15
such [3] 29/22 34/2 34/8

sufficient [1] 17/17
Suite [1] 17/17
summary [1] 50/12
supplemental [5] 2/23 15/13 26/1 37/12 49/2
Supreme [6] 17/8 17/13 27/1 38/7 43/5 43/6
Supreme Court [5] 17/13 27/1 38/7 43/5 43/6
sure [12] 9/9 13/18 18/2 23/24 24/1 29/25 30/4 30/23 37/13 41/19 46/12 49/23
suspension [9] 10/9 27/9 27/16 28/7 38/1 38/3 38/8 38/14 56/2
sworn [7] 39/9 39/11 39/15 39/17 39/18 46/15 49/23

T

take [4] 19/3 19/8 32/14 36/24
taken [3] 19/13 42/23 46/16
takes [4] 18/24 55/9 55/10 56/8
talk [3] 10/4 20/14 21/23
talking [1] 31/21
ten [1] 21/12
ten-year [1] 21/12
tense [6] 4/24 5/20 5/23 6/1 6/8 15/3
term [1] 29/24
terminate [7] 14/20 19/22 31/11 54/8 54/18 54/19 55/16
terminated [16] 5/7 5/9 6/5 14/21 29/20 33/3 40/5 40/14 40/15 42/12 43/21 45/4 52/3 53/1 53/22 54/11
terminating [2] 30/14 54/13
termination [10] 5/3 5/4 5/12 6/2 15/19 17/12 17/14 28/4 44/19 50/4
terms [4] 12/8 21/23 31/17 37/15
terrain [1] 34/4
testimony [1] 19/13
than [20] 2/19 2/22 8/16 12/6 13/23 17/19 18/5 18/16 18/19 30/21 33/15 37/13 38/11 43/1 43/8 50/20 51/8 51/21 51/24 56/15
Thank [6] 11/13 39/3 39/4 48/23 56/11 56/20
that [362]
that's [63]
their [39] 7/12 7/16 7/17 9/2 10/6 11/1 11/6 11/23 14/12 18/14 18/19 19/10 19/22 20/2 20/8 21/8 21/16 27/4 33/9 33/22 34/9 34/9 37/22 40/4 40/5 40/10 40/13 42/6 43/25 44/21 45/4 45/6 45/14 50/5 52/16 54/23 55/9 55/10 56/4
them [41] 4/20 8/22 10/23 11/2 11/9 13/4 14/4 18/5 18/15 22/22 22/22 23/5 23/11 23/12 23/17 23/22 24/17 26/9 27/3 28/9 31/15 31/17 31/19 31/20 32/19 32/23 33/13 33/14 36/8 37/17 39/2 40/3 42/20 42/21 42/23 44/1 47/5 49/17 49/17 50/10 50/12
then [17] 4/1 8/12 9/20 10/13 14/14 20/7 25/20 30/12 33/7 35/19 44/5 44/16 51/17 51/24 53/1 53/13 56/16
there [46] 2/19 2/20 3/4 4/16 5/2 6/19 6/19 9/25 10/16 11/7 11/11 11/14 12/25 13/1 13/1 15/9 15/18 15/23 16/8 16/19 17/20 17/20 18/25 20/20 21/18 22/1 22/8 23/25 24/5 26/8 32/24 36/12 38/5 38/16 41/2 42/21 47/1 47/17 49/8 49/10

there's [55] 5/10 6/2 6/10 8/10 8/25 9/6 9/16 9/22 10/2 10/8 10/23 11/14 11/23 12/14 13/17 15/14 17/2 19/13 21/14 22/4 23/23 24/6 24/11 24/15 24/16 24/17 24/17 25/13 26/8 26/10 33/8 34/3 34/17 35/11 35/17 35/20 36/12 37/20 39/16 41/25 42/4 42/23 43/22 44/2 45/3 46/14 52/3 52/6 55/4 55/15 55/16 55/18 55/23
therefore [3] 26/11 36/14 43/12
these [8] 9/24 10/12 11/18 35/4 38/17 38/18 42/5 56/9
they [350]
they'll [1] 24/20
they're [39] 4/9 4/10 4/11 7/15 7/19 8/9 10/15 11/20 11/21 18/1 21/11 21/11 24/22 28/10 28/19 28/22 28/23 29/18 34/3 36/17 36/25 40/19 40/20 42/3 43/8 43/11 43/25 44/12 45/18 47/24 49/17 49/18 51/14 51/15 51/17 51/18 52/4 52/13 52/14
they've [5] 19/21 20/3 23/22 30/20 50/12
thing [10] 6/3 6/8 15/3 26/13 28/24 34/7 35/12 53/15 54/5 55/6
things [2] 21/25 50/6
think [74]
thinks [1] 37/11
third [12] 3/14 10/10 18/20 21/9 24/23 33/10 33/18 36/8 36/18 37/17 42/9 43/15
Third Circuit [1] 36/18
third-country [1] 33/18
this [104]
this Court [1] 32/23
those [14] 3/22 18/7 18/17 18/24 19/4 28/14 30/11 30/12 30/15 32/7 42/24 43/7 49/6 55/24
though [7] 5/4 11/9 16/6 29/19 43/4 45/4 53/21
thought [3] 8/17 16/4 25/24
thousands [2] 55/3 55/4
three [4] 3/4 12/20 48/15 54/20
three months [1] 12/20
threshold [5] 7/16 18/10 28/10 29/5 51/20
through [9] 7/19 7/21 14/8 14/9 20/21 20/24 32/1 32/22 38/24
Thuraissigiam [8] 27/18 27/18 28/2 28/12 43/2 43/5 55/19 56/6
Thursday [1] 56/15
ticket [1] 47/6
ties [2] 18/14 27/15
time [17] 5/13 13/6 16/17 19/3 20/4 21/3 25/4 32/8 33/23 39/25 40/6 40/19 51/4 52/19 54/5 54/6 55/24
times [1] 39/8
tint [1] 12/25
tissue [1] 38/25
Title [1] 57/5
today [14] 3/5 3/6 9/5 9/23 18/1 23/10 23/24 34/12 45/16 46/2 50/11 50/12 54/21 54/22
told [1] 44/23
too [2] 10/23 52/12
torture [1] 39/12
track [1] 11/3

traditional [1] 37/23
traffic [3] 12/6 13/3 47/5
transcript [2] 57/6 57/8
travel [3] 20/22 21/8 21/15
traverse [1] 2/22
treated [3] 40/18 43/8 43/9
tricky [1] 25/24
tried [6] 16/20 23/22 33/12 33/14 37/17 50/12
true [3] 29/21 51/5 57/6
truncated [1] 34/19
truth [1] 45/2
try [6] 15/15 15/21 27/22 36/8 42/13 49/17
trying [1] 12/13
turning [1] 42/20
two [10] 4/5 4/12 13/21 18/5 18/24 30/21 32/1 51/16 52/5 54/20
two years [7] 4/12 13/21 18/5 18/24 30/21 32/1 51/16
two-year [1] 4/5
type [7] 9/16 9/18 9/20 34/24 42/13 49/22 51/9
typically [2] 14/3 35/8

U
U.S [16] 4/1 10/8 13/5 13/6 13/7 13/11 13/14 15/18 18/11 19/24 22/13 27/15 28/11 30/8 36/17 53/20
U.S. [2] 17/8 36/18
U.S. Supreme Court [1] 17/8
U.S./Osorio [1] 36/18
U.S.C [4] 3/17 11/15 15/14 31/9
ultimate [1] 14/10
ultimately [4] 16/19 16/22 19/17 38/21
under [40] 2/22 3/8 3/17 4/8 4/10 4/14 6/6 6/25 7/1 7/2 7/2 7/6 7/9 10/19 11/16 11/20 14/17 15/14 15/18 20/3 20/12 22/23 26/10 29/13 29/17 32/18 36/17 38/1 40/1 40/3 41/8 42/8 42/11 42/13 44/16 45/3 52/3 55/2 55/3 56/10
undermine [3] 20/2 20/8 21/16
understand [3] 13/19 52/2 52/20
understanding [8] 5/3 6/11 9/9 12/25 18/23 19/16 35/25 36/4
unfortunate [4] 42/10 43/24 44/8 44/18
unfortunately [3] 5/19 19/20 44/6
UNITED [18] 1/1 1/11 1/16 3/7 3/8 4/2 4/4 12/9 13/9 18/4 34/22 38/12 39/13 51/9 54/5 57/3 57/5 57/9
United States [11] 3/7 3/8 4/2 4/4 13/9 18/4 34/22 38/12 39/13 51/9 54/5
unquote [1] 31/3
unreasonable [1] 19/1
until [3] 23/8 50/16 56/16
up [11] 13/20 18/24 36/24 39/8 39/10 39/21 40/18 41/2 41/6 44/20 46/14
upon [1] 3/7
us [1] 27/10
USCIS [9] 8/6 9/5 19/3 19/8 19/8 33/2 33/22 44/22 52/19
usdoj.gov [1] 1/18
used [1] 15/7

V
v. [2] 5/25 49/2
vacated [2] 18/6 18/7

validity [1] 42/1
vehicle [2] 12/22 12/24
Venezuela [1] 21/1
Venezuelan [3] 3/9 10/20 29/18
Venezuelans [1] 14/3
verb [2] 5/20 6/8
versus [2] 2/5 54/11
very [15] 5/21 6/8 9/2 16/4 16/10 16/13 17/4 21/25 22/9 26/5 26/6 35/12 38/5 40/19 53/9
viable [1] 37/14
view [2] 10/16 52/21
violates [1] 38/8
violation [3] 12/25 38/16 47/5
Virgin [1] 30/8
visa [6] 11/8 53/19 53/19 53/21 53/24 54/11
voluntarily [1] 42/12
voluntary [3] 23/14 24/22 33/5

W
wait [3] 33/1 44/15 50/23
waiting [1] 20/24
Walk [1] 32/22
want [21] 9/6 9/17 13/18 20/24 21/23 24/22 25/10 30/22 33/20 33/21 33/22 33/23 36/1 36/4 36/5 39/7 39/20 45/17 50/14 53/5 53/11
wanted [11] 12/1 14/3 16/6 23/9 23/11 23/14 25/11 25/22 27/17 37/8 55/19
was [112]
wasn't [2] 7/22 16/24
way [16] 14/4 15/14 16/24 20/7 20/16 21/4 21/5 27/10 35/17 35/18 35/21 36/9 37/24 40/18 52/3 52/6
we [41] 2/16 3/16 5/1 5/19 7/11 7/14 8/1 10/4 10/7 12/16 13/14 14/11 15/11 16/22 18/1 20/17 22/12 22/13 23/10 24/12 26/11 26/21 27/9 30/13 30/13 31/19 34/12 35/3 37/2 37/14 38/1 38/16 38/19 41/23 48/11 48/14 51/4 52/24 52/25 54/14 56/2
we're [13] 13/18 29/1 29/7 31/11 31/21 32/16 32/17 34/4 48/1 50/11 51/6 55/24 55/24
week [2] 2/20 44/5
well [39] 2/15 7/4 7/18 9/1 9/13 10/18 10/22 10/24 11/2 15/11 15/19 18/3 21/4 21/12 22/4 23/18 24/8 27/18 27/21 27/23 28/25 30/13 30/19 32/25 38/15 41/17 43/2 48/4 48/5 48/7 49/23 50/7 51/5 51/10 51/23 52/7 52/25 53/9 54/2
well-disposed [1] 28/25
were [90]
weren't [1] 51/6
West [4] 12/6 12/18 51/3 51/3
Western [1] 3/25
Western Hemisphere [1] 3/25
Wet [2] 6/16 41/1
Wet Foot/Dry Foot policy [1] 6/16
what [59]
what's [3] 2/20 21/6 33/7
whatever [2] 9/10 56/7
when [24] 6/12 12/5 12/9 12/18 13/5 13/8 13/10 14/21 14/23 14/24 36/2 36/3 36/20 36/22 36/25 38/19 39/10 40/25

whenever [1] 32/5
where [18] 8/23 16/19 21/13 23/6 31/10 31/22 31/23 33/10 33/13 33/15 34/10 34/19 37/2 39/14 50/13 50/16 55/22 56/3
whereas [1] 31/25
whether [12] 3/5 3/9 4/25 7/5 7/7 14/8 20/25 28/23 29/5 29/18 49/25 54/13
which [31] 5/3 6/16 7/21 10/13 11/17 13/25 14/20 15/5 15/13 15/19 19/5 19/12 19/17 22/20 22/23 24/20 26/2 26/9 27/14 31/9 35/4 37/22 39/15 39/24 40/6 41/5 43/17 44/25 49/4 55/19 56/9
while [6] 7/19 19/9 20/23 43/24 46/13 56/5
who [56] 3/5 3/6 3/7 3/19 3/23 3/24 4/1 4/2 4/9 4/10 4/11 4/11 6/17 6/23 8/24 9/23 10/11 11/16 11/24 14/15 15/21 15/22 15/25 16/15 16/17 17/3 18/4 18/16 21/7 22/9 23/25 24/24 25/3 26/25 28/3 29/10 30/11 31/25 34/23 38/11 38/12 40/12 43/6 43/11 45/3 45/9 49/5 49/7 50/20 51/8 51/24 52/9 52/21 52/21 55/23 55/25
whole [1] 12/15
whose [2] 7/25 43/20
why [15] 7/23 9/6 9/15 13/16 16/4 17/25 20/13 25/23 25/25 39/25 45/18 49/13 50/11 52/2 53/8
will [16] 9/17 13/14 19/3 24/20 24/21 28/8 35/20 40/22 43/1 44/15 52/16 54/23 56/14 56/14 56/15 56/16
win [1] 51/17
wind [1] 5/2
window [1] 12/25
within [8] 25/4 26/13 28/3 37/3 43/25 51/16 54/24 55/4
without [6] 14/4 20/9 22/22 24/23 31/25 42/15
words [1] 53/5
work [1] 53/19
worked [1] 17/24
would [58]
wouldn't [8] 11/9 20/7 20/17 21/15 23/10 35/9 51/4 51/5
wrong [3] 10/23 18/23 54/13
wrongly [1] 18/18
wrote [2] 16/25 28/13

Y
yards [1] 28/3
Yeah [4] 14/7 46/22 52/24 55/6
year [14] 4/5 4/16 12/6 12/20 21/12 21/13 28/11 29/11 29/14 30/13 30/17 30/20 42/18 51/17
years [15] 4/12 13/21 18/5 18/17 18/24 30/21 31/24 32/1 43/7 44/7 44/16 50/23 50/23 51/16 51/18
yes [15] 2/17 19/23 22/4 22/7 31/19 39/6 45/25 46/8 46/18 46/25 47/3 48/10 48/12 52/13 52/15
yet [1] 19/7
YOEL [4] 1/3 1/10 3/6 48/4
you [96]
you is [1] 9/8
you'd [1] 41/18
you're [7] 7/2 20/23 20/23 24/8 27/23

you're... [2] 51/1 55/1

you've [1] 16/23

your [35] 2/7 2/13 3/1 5/8 5/10 6/4 8/20

9/13 9/21 10/7 10/24 14/20 16/23 19/2

19/23 20/25 21/2 21/6 21/17 23/9 24/3

31/12 33/14 41/23 48/10 48/23 50/9

50/22 51/11 52/1 52/4 53/16 54/3 55/18

56/19

Your Honor [17] 5/10 8/20 9/21 10/7

10/24 14/20 19/2 21/6 21/17 23/9 24/3

41/23 50/9 51/11 53/16 54/3 55/18

yours [1] 29/10