

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

SHI HUAN DONG,

Petitioner,

v.


JUDITH C. ALMODOVAR, *et al.*,

Respondents.

Civil Action No. 25 Civ. 7630 (JPC)

DECLARATION OF DEPORTATION OFFICER
HAL S. WATERS

Pursuant to 28 U.S.C. § 1746, I, Hal S. Waters, hereby declare under penalty of perjury that the following is true and correct:

1. I am a Deportation Officer at U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). I have served in this capacity since March 2024. As a Deportation Officer, I manage the cases of aliens who are in immigration proceedings. Once an alien is ordered removed from the United States, I facilitate the alien’s removal by coordinating with the government of that alien’s country of removal to obtain proper travel documents.
2. I have prepared this declaration in connection with a Petition for Writ of Habeas Corpus filed by the Petitioner, Shi Huan Dong (“Dong”). Dong has been assigned the following Alien Number:  The following representations are based on my review of Dong’s administrative file, consultation with my colleagues, and ICE electronic records and databases.
3. Dong is a native and citizen of China who claims to have entered the United States on or about May 3, 2010, without being admitted or paroled. Thereafter, on December 20, 2010,

Dong filed an affirmative Application for Asylum and for Withholding of Removal (Form I-589) with U.S. Citizenship and Immigration Services (“USCIS”).

4. On February 11, 2011, USCIS served Dong with a Notice to Appear (“NTA”) which charged him as being removable pursuant to Immigration and Nationality Act (“INA”) section 212(a)(6)(A)(i), 8 U.S.C. §1182(a)(6)(A)(i), as an alien present in the United States without being admitted or paroled. Shortly thereafter, the NTA was filed with the Immigration Court in New York, New York, non-detained docket, thereby commencing removal proceedings against Dong.
5. On December 13, 2011, after several hearings, an Immigration Judge denied Dong’s applications for relief from removal and ordered him removed from the United States to China. Dong timely filed a notice of appeal of that decision with the Board of Immigration Appeals (“BIA”).
6. On May 22, 2014, the BIA issued a decision dismissing Dong’s appeal, rendering Dong’s removal order final. Dong did not file a Petition for Review of the BIA’s decision with the Second Circuit Court of Appeals.
7. Prior to the BIA decision, ICE could not begin the process of removing Dong from the United States because he was not yet subject to a final order of removal.
8. On or about September 8, 2023, Dong’s United States citizen wife filed a Petition for Alien Relative (Form I-130), and an Application to Register Permanent Residence or Adjust Status (Form I-485), with USCIS. USCIS denied the I-130 Petition on January 28, 2025, and denied the I-485 Application on August 15, 2025.
9. On July 9, 2025, Dong was arrested by the New York City Police Department in Brooklyn, New York and charged with the following offenses: Criminal Possession of a Weapon in

the Fourth Degree, in violation of New York Penal Law section 265.01, and Unsafe Turn or Failure to Give Appropriate Signal, in violation of New York Vehicle and Traffic Law section 1163(a). The charges remain pending as of today's date.

10. On September 14, 2025, Dong was arrested by ICE on a public sidewalk in Brooklyn, New York pursuant to a Warrant of Removal/Deportation, Form I-205, for purposes of executing his final removal order. This was Dong's first encounter with ICE. Dong was served with a Warning to Alien Ordered Removed or Deported, Form I-294, and Warning for Failure to Depart, Form I-229(a), along with an Instruction Sheet to Detainee Regarding Requirement to Assist in Removal. Dong was taken into custody and transported to 26 Federal Plaza, New York, New York for processing and to await transfer to a facility with available bedspace, pending removal.
11. Dong had never been in DHS custody prior to September 14, 2025. Because he is subject to a final order of removal, his detention is governed by 8 U.S.C. § 1231.
12. On September 15, 2025, Dong was transferred from ICE's temporary hold room at 26 Federal Plaza to Delaney Hall Detention Facility in Newark, New Jersey to await transfer to a facility with bedspace pending his removal.
13. On September 18, 2025, Dong was transferred to Alexandria Staging Facility in Alexandria, Louisiana to await transfer to a facility with bedspace.
14. On September 22, 2025, Dong was transferred to Folkston D. Ray ICE Processing Center in Folkston, Georgia after bedspace was secured. As of today's date, Dong remains at the Folkston D. Ray ICE Processing Center pending his removal.
15. DHS database checks reveal that Dong was issued a Chinese passport that is valid through March 21, 2029.

16. On September 30, 2025, I met with Dong who stated that he lost his Chinese passport but agreed to assist ICE in its efforts to obtain travel documents for repatriation to the People's Republic of China.
17. Since Dong was unable to provide his Chinese passport to ICE, ICE's Atlanta Field Office's Enforcement and Removal Operations ("ERO-ATL") has gathered the requisite information to submit a travel document request packet for Dong to ICE's headquarters in Washington, D.C., for submission to the Embassy of the People's Republic of China in Washington, D.C.
18. ERO-ATL expects to submit a travel document request packet for Dong to ICE headquarters before close of business today, October 1, 2025.
19. Once travel documents are received, Dong will be booked on the next commercial airline flight to China to effectuate his removal from the United States.
20. Since January 2025, China has accepted citizens who were removed from the United States. Based on my experience, China will issue travel documents to its nationals who are in the United States.

21. ICE is unaware of any impediments to effectuating Dong's removal to China once it obtains a travel document.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Folkston, Georgia

This 1st day of October, 2025

HAL S WATERS Digitally signed by HAL S WATERS
Date: 2025.10.01 10:48:17 -0400

Hal S. Waters
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security