

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JACIEL CIRRUS ROJAS,

Petitioner,

v.

Case No. 25-CV-1437

SAMUEL OLSON, Field Office Director,
Chicago Field Office, Immigration and
Customs Enforcement; SCOTT SMITH,
Jail Administrator, Dodge County Jail,

Respondents.

RESPONDENTS' SUPPLEMENT CONCERNING "INTERIM GUIDANCE"

During the October 14, 2025, hearing, the Court requested a formal copy of the interim guidance referenced in the petition in this matter. Undersigned's efforts have confirmed what Petitioner alleged, namely that ICE has not officially or publicly released any guidance on this topic. *See* ECF 1 at ¶¶ 25, 86. Rather, the Washington Post first reported the existence of an internal guidance on July 14, 2025. *See Savane v. Francis*, No. 1:25-CV-6666-GHW, 2025 WL 2774452, at *6 (S.D.N.Y. Sept. 28, 2025) (citing Maria Sacchetti & Carol D. Leonnig, *ICE declares millions of undocumented immigrants ineligible for bond hearings*, Washington Post (July 14, 2025), <https://www.washingtonpost.com/immigration/2025/07/14/ice-trump-undocumented-immigrants-bond-hearings/>). Then, the interim guidance itself was obtained and leaked by legal advocacy groups. *Id.* (citing *ICE Memo: Interim Guidance Regarding Detention Authority for Applications for Admission*, American Immigration Lawyers Association (July 8, 2025), <https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority->

for-applications-for-admission). The AILA website appears to be the source of what Petitioner attached to his petition. *See* ECF 1-5.

Although the internal memorandum was leaked, ICE has not officially published any guidance on the subject. Therefore, undersigned is unable to provide a formal or official version of the internal memorandum Petitioner included with his filing.

Dated at Milwaukee, Wisconsin this 16th day of October 2025.

Respectfully submitted,

RICHARD G. FROHLING
Acting United States Attorney

By: *s/ Luke Sinclair*

LUKE P. SINCLAIR
Assistant United States Attorney
Wisconsin Bar No. 1087786
Office of the United States Attorney
Federal Building, Room 530
517 East Wisconsin Avenue
Milwaukee, WI 53202
Telephone: (414) 297-1700
Fax: (414) 297-4394
Email: luke.sinclair@usdoj.gov
Attorneys for Respondents