

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

JHOAN MAZA HERRERA,

Petitioner,

v.


LADEON FRANCIS, *et al.*,

Respondents.

Case No. 25 Civ. 08602 (JHR)

**DECLARATION OF
DEPORTATION OFFICER
DEREK LYNCH**

Pursuant to 28 U.S.C §1746, I, Derek Lynch, hereby declare as follows:

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 my current capacity as a deportation officer since September 27, 2020. 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 the 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, Jhoan Maza Herrera (“Petitioner”), on October 17, 2025. Maza Herrera has been assigned the following Alien Number:  I make this declaration in my official capacity, and the following representations are based on my review of Petitioner’s administrative file, consultation with my colleagues, and ICE electronic records and databases.
3. Maza Herrera is a native and citizen of Columbia.

4. On December 30, 2023, a Border Patrol Agent with U.S. Customs and Border Protection (“CBP”) encountered petitioner and his family in the El Paso, Texas Border Control Sector and determined that he entered the United States without inspection, admission, or parole from an immigration officer on or around that date. That same day, CBP personally served petitioner with a Notice to Appear (“NTA”), which charged him as being inadmissible 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. *See Exhibit A.*
5. On December 30, 2023, petitioner was released from CBP custody due to lack of bedspace.
6. The NTA was filed with the Immigration Court in Santa Ana, California on January 26, 2024, thereby commencing removal proceedings. Petitioner’s initial master calendar hearing was scheduled for May 22, 2024. *See Ex. A.*
7. On February 8, 2024, another Notice of Hearing was served by the Immigration Court on Petitioner by first class mail, confirming that his hearing was set for May 22, 2024.
8. On March 7, 2024, Maza Herrera was arrested by the New York Police Department in Kings County, New York and charged with Criminal Possession of Stolen Property in the Fifth Degree, in violation of New York Penal Law Section 165.40, and Attempted Petit Larceny, in violation of New York Penal Law Section 155.25. These charges have been expunged.
9. On April 24, 2024, Petitioner filed a Form EOIR-33, Change of Address, notifying the Santa Ana Immigration Court that he had moved to Flushing, New York.

10. On May 8, 2024, petitioner filed a pro se Motion to Change Venue with the Santa Ana Immigration Court requesting that the Court administratively transfer the matter to the New York City Immigration Court where Petitioner resided. The Court granted his motion on May 9, 2024. Venue was changed to New York, New York and Petitioner's matter was assigned by zip code to the Immigration Court at 26 Federal Plaza.
11. On May 14, 2024, the Immigration Court at 26 Federal Plaza served petitioner a Notice of Hearing, which set an internet-based master calendar hearing on October 16, 2025.
12. On September 23, 2024, Petitioner filed a defensive Form I-589, Application for Asylum, Withholding of Removal, and Protection under the Convention Against Torture with the Immigration Court.
13. On October 16, 2025, Petitioner appeared, pro se and in person, for his master calendar hearing. The Immigration Judge provided him with standard rights and advisals, and a list of free and low-cost legal service providers. The Immigration Judge reset Petitioner's matter to May 7, 2026, to allow him time to find an attorney. Petitioner was personally served with a Notice of Hearing that same day.
14. Following his October 16, 2025, master calendar hearing, ICE took petitioner into custody and transported him to ICE's processing space at 26 Federal Plaza in New York, New York, pursuant to INA § 235(b)(A), 8 U.S.C. § 1225(b)(2)(A). Petitioner was served with a Warrant for Arrest of Alien (Form I-200), *see* Exhibit B, a separate form entitled "Important Information about Section 236(a) Initial Detention Decisions," a copy of the Online detainee Locator System Privacy Notice, and a list of pro bono legal service providers.

15. Petitioner was also advised of his right to consular notification but declined to have the Columbian consulate notified of his detention.
16. Following processing, Petitioner remained at ICE's processing space until approximately 4:30 p.m. on October 17, 2025, when he was transferred to the Delaney Hall Detention Facility in Newark, New Jersey.
17. Legal representatives of detainees at Delaney Hall are authorized to visit their clients in person during the following hours: Monday to Saturday, 8:00 a.m. to 7:00 p.m. and Sunday 8:00 a.m. to 12:00 p.m. Additionally, Delaney Hall allows in-person visits as well as internet video visits for social workers, family, and friends.
18. On October 20, 2025, DHS filed a Form I-830, Notice to EOIR: Alien Address, with the Immigration Court notifying it that Petitioner was in ICE custody in Newark, New Jersey. Petitioner's case was subsequently administratively transferred to the Immigration Court in Elizabeth, New Jersey.
19. On October 27, 2025, Petitioner was served with a Notice of Hearing notifying him that his next master calendar hearing was set for October 30, 2025, at 9:30 a.m., at the Elizabeth Immigration Court. The hearing was held as scheduled, and set over to November 13, 2025, for Petitioner to retain counsel.
20. I hereby declare under the penalty of perjury that the above statements are true and correct.

Executed at Newark, New Jersey on this 3rd day November 2025.

A handwritten signature in black ink, appearing to read "D. C. Lynch", written over a horizontal line.

DEREK LYNCH
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security