

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ENBIN SUN,
Petitioner,

v.

JUDITH ALMODOVAR, *et al.*,
Respondents.

Civil Action No. 25-cv-9262 (PKC)

DECLARATION OF DETENTION AND
DEPORTATION OFFICER MINCHEOL SO

Pursuant to 28 U.S.C. § 1746, I, Mincheol So, 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 September 2015.
2. I have prepared this declaration in connection with a Petition for a Writ of Habeas Corpus filed by the petitioner, Enbin Sun (“Sun”), a native and citizen of China, who has been assigned the following Alien Number: . The following representations are based on my review of Sun’s administrative file, consultation with my colleagues, and ICE electronic records and databases.
3. On January 27, 2023, Sun entered the United States by crossing the international border near Mission, Texas. He was encountered by a United States Customs and Border Protection agent (“CBP”).
4. CBP determined that Sun, an applicant for admission, had illegally entered the United States without inspection, and did not possess the necessary legal documentation to enter, pass through, or remain in the United States. Sun was arrested and transported to the Rio Grande Valley Sector Centralized Processing Center for further processing.

5. On January 27, 2023, CBP personally served Sun with a Notice to Appear (“NTA”), charging him as inadmissible under 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, or who arrived in the United States at any time or place other than as designated by the Attorney General. Sun was given oral notice in his native language about the location, date, and time of the hearing indicated on the NTA. Sun was also provided with a list of organizations and attorneys which provide free legal services.

6. On January 28, 2023, Sun was given an Order of Release on Recognizance as there was no viable nearby detention facility able to accommodate him. This alternative to detention included reporting conditions.

7. On February 8, 2023, the NTA was served on the immigration court in Dallas, Texas, thereby commencing proceedings against Sun.

8. On April 10, 2023, Sun through counsel filed a motion to change venue to New York City, New York. This motion was granted on May 21, 2023, and Sun’s case was transferred to the New York Immigration Court, located at 26 Federal Plaza, New York, New York (“New York Immigration Court”).

9. On May 24, 2023, Sun filed an application for relief with the New York Immigration Court.

10. On July 21, 2023, Sun was provided notice of a master hearing scheduled at the New York Immigration Court for January 23, 2024.

11. On January 4, 2024, Sun submitted written pleadings to the allegations contained in the NTA. Sun conceded all of the allegations and conceded the charge of removability.

12. On January 22, 2024, Sun was provided notice that the master hearing for January 23, 2024 had been cancelled. Sun's case was placed in the trial queue.

13. On August 14, 2024, Sun was provided notice of an individual hearing scheduled for March 10, 2027.

14. On September 28, 2025, ICE requested that Sun report in person to ICE at 26 Federal Plaza, New York, New York on November 5, 2025, at 7:00 a.m.

15. On November 5, 2025, Sun reported to ICE, as directed. After reviewing all relevant information, Sun's release on recognizance was cancelled, and he was arrested pursuant to INA § 235(b)(2)(A), 8 U.S.C. § 1225(b)(2)(A). During processing, Sun was served with an I-200 Warrant for Arrest, a copy of the Online detainee Locator System Privacy Notice, and a list of pro bono legal service providers.

16. On November 5, 2025, Sun was taken into ICE custody for the pendency of his removal proceedings.

17. On November 5, 2025, Sun was transferred, in the ordinary course, to the Delaney Hall Detention Facility, in Newark, New Jersey.

18. Sun remains at this facility at the time of writing.

I hereby declare under the penalty of perjury that the above statements are true and correct.

Executed at New York, New York
This 14th day of November 2025.

A handwritten signature in black ink, appearing to read 'Mincheol So', written over a horizontal line.

Mincheol So
Detention and Deportation Officer U.S.
Immigration and Customs Enforcement U.S.
Department of Homeland Security