

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE JAVIER CUY COMES,

Petitioner,

v.

LADEON FRANCIS, *et al.*,

Respondents.

No. 25-cv-9283 (AT)

DECLARATION OF
SUPERVISORY DETENTION AND
DEPORTATION OFFICER

Pursuant to 28 U.S.C. § 1746, I, Kareem Johnson, 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 this capacity since July 2023. Prior to this, I served as a Deportation Officer in ICE since February 2007. As a Supervisory Detention and Deportation Officer in the Transportation and Removal Operations Unit, I oversee the arrest processing, placement for Detention and the transportation to detention of detainees taken into custody by ICE. I also oversee the transportation of detainees to the removal and staging locations.
2. I have prepared this declaration at the request of the U.S. Attorney's Office, Southern District of New York, in connection with a Petition for Writ of Habeas Corpus and Complaint for Declarative and Injunctive Relief filed by the petitioner, Jose Javier Cuy Comes ("Comes"). Comes has been assigned the following Alien Number:  The following representations are based on my review of ICE electronic records and databases, consultation with my colleagues, and documentation relating to Comes.
3. Comes is a native and citizen of Guatemala.

4. On November 4, 2025, ICE officers initially encountered Comes during a targeted enforcement operation seeking another alien where Comes was not the intended target. During a consensual encounter, Comes admitted that he was born in Guatemala and did not have any status in the United States. Based on this information, an I-200 was issued by an ICE supervisor and officers informed Comes he would be placed in ICE custody at which time Comes actively resisted Deportation Officers arresting him. At approximately 6:20 a.m. EST, Comes was detained by ICE pursuant to INA § 235(b)(1)(A), 8 U.S.C. § 1225(b)(1)(A).

5. On the same date, at approximately 9:30 a.m. EST, Comes was transported to a Hold Room facility at 201 Varick Street for arrest processing and at approximately 10:30 p.m. EST, Comes was transported to a Hold Room facility at 26 Federal Plaza.

6. During arrest processing, Comes was served with the Form I-200 Warrant of Arrest, as well as a Notice to Appear ("NTA"), charging him with removability pursuant to INA § 212(a)(6)(A)(i), 8 U.S.C. § 1182(a)(6)(A)(i), as an alien present in the U.S. 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 and removability pursuant to INA § 212(a)(7)(A)(i)(I), 8 U.S.C. § 1182(a)(7)(A)(i)(I), as an immigrant, who, at the time of application for admission, is not in possession of valid unexpired immigrant visa, reentry permit, border crossing card, or other valid reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 221(a) of the Act.

7. On November 7, 2025, at approximately 12:50 a.m., Comes was transferred to Delany Hall Detention Facility ("DHDF") located in Newark New Jersey. The New York City

Field Office utilizes Delany Hall as operational needs require and space permitting to detain aliens in proximity to New York City as well as a staging facility for flights to and from New Jersey area airports.

8. On November 7, 2025, at approximately 12:43 p.m EST, ICE received notice of this Court's order enjoining transfer outside of New York Field Office's area of operation. ICE promptly documented the order enjoining transfer or removal of Comes from his present location in proximity to New York City at a facility regularly utilized by the New York City Field Office.

9. Prior to his arrest by ICE on November 4, 2025, Comes had no contact with U.S. immigration authorities.

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

Executed at New York, New York
this 11th day of November 2025.

 SDOO
Kareem Johnson
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security