

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 25-4264 (PJS/DJF)

Santos Morente Cahuec,

Petitioner,

v.

**DECLARATION OF
DEPORTATION OFFICER
XIONG LEE**

Samuel J. Olson et. al.,

Respondents.

Xiong Lee, Deportation Officer, United States Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS), for his declaration under 28 U.S.C. § 1746 hereby states as follows:

1. The following declaration is based on a review of the Plaintiff's alien file, official records checks, and information relayed to me by other officials.
2. I have been employed with DHS since May 29, 2007. I began my career as an Immigration Enforcement Agent. On September 20, 2015, I was promoted to Deportation Officer, my current position.
3. As a Deportation Officer, my assigned duties are to identify, locate, and arrest aliens illegally present in the United States. Additionally, I am charged with the responsibility of overseeing the cases of aliens in removal proceedings. These duties include the review of alien files for sufficiency, the detention and release of aliens in ICE custody, monitoring the progress of cases through the hearing process, and enforcement of the immigration court's decision, including the execution of removal orders. I am also responsible for presenting criminal

immigration cases to the United States Attorney's Office for possible criminal prosecution.

4. Santos Morente Cahuec (Hereinafter referred to as "MORENTE") is a native and citizen of Guatemala. On an unknown date, MORENTE entered the United States at an unknown location, without admission or parole.

5. In September of 2015 MORENTE was convicted of Driving or Controlling [a] vehicle with Alcohol in Blood by a court in South Dakota and sentenced to 30 days in jail.

6. On July 19, 2023, ERO St. Paul, Duluth Resident Officer, encountered MORENTE at the Wadena County Jail (WCJ), in Wadena, MN during routine ICE operations. MORENTE had arrested for Domestic Assault and Breaking and Entering. A true and accurate copy of DHS Evidentiary Submissions on Bond, Tab D of Department of Homeland Security's Remanded Bond Packet, which includes police report(s) for the July 19, 2023, Domestic Violence Incident, along with the packet's cover page, are attached hereto as Exhibit A.

7. An Immigration Detainer-Notice of Action (Form I-247) was issued on July 19, 2023. Attached hereto as Exhibit B is a true and accurate copy of Form I-247.

8. On July 20, 2023, ERO St. Paul, Grand Forks, ND suboffice arrested MORENTE at the WCJ upon his release.

9. On July 20, 2023, ERO St. Paul, Grand Forks, ND suboffice issued MORENTE a Notice to Appear (Form I-862), charging him under 212 (a)(6)(A)(i) of the INA, as amended, for being 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. Attached hereto as Exhibit C is a true and accurate copy of the Notice to Appear.

10. On July 20, 2023, ICE issued MORENTE Form I-213 Record of

Deportable/Inadmissible Alien and associated Form I-831 Continuation Pages.

11. On August 9, 2023, MORENTE filed a Motion for Reconsideration of Bond. Attached hereto as Exhibit D is a true and accurate copy of that motion.

12. On August 10, 2023, an Immigration Judge (IJ) at Fort Snelling, MN ordered MORENTE released on a bond in the amount of \$5000.00. The Department of Homeland Security (DHS) reserved appeal.

13. A written Memorandum of Bond Decision of the Immigration Judge followed on September 6, 2023, a true and accurate copy of which is attached hereto as Exhibit E.

14. On August 15, 2023, MORENTE paid his bond and was released from ICE custody.

15. On August 22, 2023, DHS filed an appeal of the IJ's bond order to the Board of Immigration Appeals (BIA). Attached hereto as Exhibit F is a true and accurate copy of the BIA appeal.

16. On August 21, 2025, the BIA sustained DHS's appeal and vacated the IJ's decision. The BIA ordered MORENTE to be detained without bond.

17. On September 26, 2025, ERO St. Paul arrested MORENTE at the ERO St. Paul bond window, in Fort Snelling, MN. ERO St. Paul requested MORENTE appear for a bond demand. A Warrant of Arrest (Form I-200) was issued for MORENTE. Attached hereto as Exhibit G is a true and accurate copy of the I-200.

18. On September 26, 2025, ICE issued MORENTE an updated Form I-213 Record of Deportable/Inadmissible Alien and associated Form I-831 Continuation Pages.

19. On October 7, 2025, MORENTE filed a second Bond Redetermination request with the

Immigration Court at Fort Snelling, MN.

20. On October 14, 2025, DHS filed Form I-261 Additional Charges of Inadmissibility/Deportability lodging additional charge(s) that MORENTE is subject to be taken into custody and deported or removed from the United States pursuant to Section 212 (a)(7)(A)(i)(I) of the Immigration and Nationality Act, as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act.

21. On October 15, 2015, an IJ denied MORENTE's custody redetermination request.

22. MORENTE remains in ICE detention in Freeborn County Jail in Albert Lea, MN pending removal proceedings.

23. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Digitally signed by XIONG
LEE
Date: 2025.11.14 07:20:29
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Xiong Lee, Deportation Officer
U.S. Immigration and Customs Enforcement

November 14, 2025