

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JOSE FLORES PALMA,

Petitioner,

v.

PAUL ARTETA, *et al.*,

Respondents.

No. 25 Civ. 9340 (JPC)

DECLARATION OF
DEPORTATION OFFICER
WILLIAM MORROW

Pursuant to 28 U.S.C. § 1746, I, William Morrow, hereby 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 April 2012. 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 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 Flores Palma ("Flores Palma"). Flores Palma 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 Flores Palma.

3. Flores Palma is a native and citizen of El Salvador.

4. On or about July 22, 2022, a Border Patrol Officer with U.S. Customs and Border Protection ("CBP") encountered Flores Palma in the Rio Grande Valley, Texas Border Patrol Sector, and determined that he unlawfully entered the United States at or near Donna, Texas on July 22, 2022. Flores Palma admitted that at the time of his entry, he was not inspected by an Immigration Officer.

5. Flores Palma was arrested and processed for expedited removal because he was apprehended within fourteen days of his last entry into the United States and within 100 air miles from the United States/Mexico international boundary and he did not claim a fear of return to his home country.

6. On July 29, 2022, DHS removed Flores Palma from the United States to El Salvador via a charter flight, pursuant to an expedited removal order.

7. On November 9, 2023, Flores Palma applied for admission to enter the United States (U.S.), from Mexico, at the San Ysidro Port of Entry. CBP served Flores Palma a Form I-862 ("NTA") (along with a list of free legal services) and he was paroled into the United States pending INA § 240 removal proceedings before an Immigration Judge. The NTA served by CBP was never filed with the Executive Office for Immigration Review ("EOIR") and removal proceedings were not commenced at that time.

8. On November 10, 2023, Flores Palma was enrolled in Alternatives to Detention by the ICE San Diego Field Office.

9. On December 10, 2024, during an ATD check in, ICE's New York City Field Office (ERO-NY) served an NTA on Flores Palma and filed that NTA with EOIR charging Flores Palma, an arriving alien, with removability pursuant to INA § 212(a)(7)(A)(i)(I), 8 U.S.C. 1182(a)(7)(A)(i)(I), 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, 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 § 211(a) of the INA.

10. On or about January 8, 2025, ICE obtained documentation indicating that Flores Palma had been convicted of Attempted Aggravated Robbery in San Ana, El Salvador and sentenced to a term of imprisonment of four years.

11. On March 31, 2025, Flores Palma was arrested by ICE and detained pursuant to INA § 235(b)(2)(A); 8 U.S.C. 1225(b)(2)(A), served with a Form I-200 Warrant of Arrest and detained at Orange County Jail in Goshen, New York. A Form I-286 was also erroneously issued as Flores Palma was not subject to INA §236(a), 8 U.S.C. 1226(a).

12. On April 1, 2025, ICE filed a motion to change venue to the Varick Street Immigration Court detained docket with EOIR, which was granted on April 3, 2025.

13. On April 10, 2025, Flores Palma appeared pro se via video teleconference for a Master Calendar Hearing and requested an adjournment to speak with an attorney which was granted by the Immigration Judge. The matter was adjourned to April 24, 2025.

14. On April 15, 2025, ICE reviewed Flores Palma's case for reinstatement of the removal order from July 2022. At that time, a review of his records did not accurately reveal that Flores Palma was paroled into the United States by CBP in November 2023. On the same day, believing that Flores Palma's removal order could be reinstated, ICE filed a motion to dismiss Flores Palma's INA § 240 removal proceedings without prejudice in order to reinstate the prior removal order with the issuance of a Form I-871.

15. On April 23, 2025, Flores Palma filed an opposition to ICE's motion to dismiss and on April 24, 2025, the Immigration Judge granted ICE's motion dismissing the proceedings without prejudice.

16. On May 21, 2025, Flores Palma filed a timely appeal of the Immigration Judge's decision with the Board of Immigration Appeals ("BIA").

17. On June 30, 2025, the BIA issued a briefing schedule with the parties' briefs due on July 21, 2025.

18. On July 3, 2025, Flores Palma sought an extension of the briefing schedule, which was granted until August 11, 2025.

19. On August 11, 2025, Flores Palma filed his brief on appeal with the BIA, which remains pending as of today's date.

20. On November 14, 2025, ICE and Flores Palma filed a joint motion to the BIA requesting remand to the Immigration Judge in order to continue INA § 240 removal proceedings, as ICE determined that Flores Palma's removal order was not subject to being reinstated.

21. Upon remand of the proceedings to the Immigration Judge, ICE intends to rescind the improvidently issued Form I-871 reinstatement of the 2022 removal order, and Flores Palma's removal proceedings will proceed.

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

Executed at New York, New York
this 19th day of November 2025.



William Morrow
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security