

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NOUAMANE SIDQUI,

Petitioner,

v.

JUDITH ALMODOVAR, *et al.*,

Respondents.

No. 25-cv-9349 (VSB)

**DECLARATION OF
DEPORTATION OFFICER
JUSTIN JAMES-TOWNEND**

Pursuant to 28 U.S.C. § 1746, I, JUSTIN JAMES-TOWNEND, 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 October 16, 2025. As a Deportation Officer, *inter alia*, 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 that 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 and Complaint for Declarative and Injunctive Relief filed by the petitioner, Nouamane Sidqui ("Petitioner"). Petitioner has been assigned the following Alien Number . The following representations are based on my review of ICE electronic records and databases, personal knowledge, consultation with my colleagues, and documentation relating to Petitioner.

3. Petitioner is a native and citizen of Morocco.

4. On August 7, 2024, United States Customs and Border Protection ("CBP") encountered Petitioner at the El Paso, Texas Border Patrol Sector. A Border Patrol Agent

determined that Petitioner had unlawfully entered the United States from Mexico at a time and place other than as designated by the Secretary of the Department of Homeland Security of the United States. After determining that Petitioner was an alien who illegally entered the United States, he was arrested and subsequently transported to the Central Processing Center in El Paso, Texas for further processing.

5. At the station, during processing for expedited removal under INA § 235(b)(1), 8 U.S.C. § 1226(b)(1), Petitioner was advised of his administrative rights in removal proceedings. He acknowledged he understood those rights. Petitioner spoke fluent English. Petitioner admitted he was a citizen and national of Morocco and was without the necessary legal documents to enter, pass through or to remain in the United States. He also admitted to illegally crossing the international boundary on or about August 7, 2024 without being inspected by an immigration officer at a designated Port of Entry.

6. On August 10, 2024, CBP served Petitioner with a Form I-860 Notice and Order of Expedited Removal pursuant to INA § 235(b)(1). Additionally, CBP served Petitioner with a Notice to Alien Ordered Removed/Departure Verification Form indicating that he was prohibited from entering the United States for a period of 5 years from the date of his departure of the United States as a consequence of having been found inadmissible as an arriving alien in proceedings under INA § 235(b)(1).

7. On August 19, 2024, Petitioner was transferred to the Otero County Processing Center in New Mexico to prepare him for removal.

8. On August 21, 2024, Petitioner claimed a fear of returning to Morocco. On August 26, he was interviewed by an asylum officer from U.S. Citizenship and Immigration Services

(“USCIS”) in accordance with 8 U.S.C. § 1225(b)(1)(A)(ii), (b)(1)(B). Based on the interview, USCIS determined that Petitioner had a credible fear of returning to Morocco.

9. On August 28, 2024, USCIS issued and served Petitioner with a Notice to Appear (“NTA”) placing him in removal proceedings pursuant to INA § 240, 8 U.S.C. § 1229a, where he could pursue his defensive asylum claim. The NTA vacated the Notice and Order of Expedited Removal. The NTA charged Petitioner as being inadmissible under INA § 212(a)(7)(A)(i)(I), 8 U.S.C. § 1182(a)(7)(A)(i)(I), due to inadequate documentation at the time of application for admission, and also under INA § 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.

10. On September 4, 2024, the NTA was filed with the Immigration Court in Chaparral, New Mexico. The NTA ordered Petitioner to appear at the Otero Immigration Court in Chapparral, New Mexico, on September 17, 2024.

11. On September 17, 2024, Petitioner appeared at an initial master hearing at the Otero Immigration Court. The hearing was continued to September 24, 2024.

12. On September 19, 2024, Petitioner was enrolled and placed into the Alternative To Detention (“ATD”) Wrist Worn GPS Program.

13. On September 20, 2024, Petitioner was released from ICE custody. That same day, ICE filed a Notice with Immigration Court of Petitioner’s release from the Otero County Processing Center in New Mexico, reflecting his new address in El Paso, Texas.

14. On September 28, 2024, Petitioner filed form EOIR-33, Change of Address, with the Immigration Court, informing the court of his new residence in New York, New York.

15. On September 30, 2024, Petitioner's ATD Program Details changed and he was placed into Monthly Biometric Reporting.

16. On October 1, 2024, Petitioner reported to the Queen's office of BI Incorporated, the contractor which manages ICE's Intensive Supervision Program. Appearance Program. Petitioner was placed on monthly reporting on his personal phone, which is component of ATD.

17. On October 9, 2024, Petitioner filed a defensive Form I-589, Application for Asylum, Withholding and Protection under the Convention Against Torture with the Immigration Court. On that same date, Petitioner also filed a Motion to Change Venue to have his matter transferred to the Immigration Court in New York, New York.

18. On October 25, 2024, the Immigration Court granted the motion to change venue and rescheduled his next master calendar hearing to April 8, 2026, at 26 Federal Plaza.

19. On February 28, 2025, Petitioner complied with his monthly reporting requirements under the ATD program. This was the last time petitioner complied with his monthly telephonic reporting requirements, as required by his ATD program.

20. On March 21, 2025, Petitioner was arrested by the New York City Police Department in Queens, New York for the following offenses: Strangulation in the Second Degree, Obstruct Breath/Blood Circulation – Cause Physical Injury, in violation of New York Penal Law ("NYPL") § 121.12(D); Criminal Mischief in the Third Degree, Damage Another Person's Property in an amount greater than \$250.000, in violation of NYPL § 145.05(02); and Assault in the Third Degree, with Intent to Cause Physical Injury, in violation of NYPL § 120.00(01).

21. Later that day, Petitioner was arraigned in Queens County Criminal Court and charged with the following offenses: Assault in the Third Degree, with Intent to Cause Physical Injury, in violation of NYPL § 120.00(01); Criminal Obstruction of Breathing or Blood

Circulation-Apply Pressure, in violation of NYPL § 121.11(A); Criminal Mischief, Intent to Damage Property, in violation of NYPL § 145.00(01); and Harassment in the Second Degree, Physical Contact, in violation of NYPL § 240.26(01).

22. On March 31, 2025, while the Petitioner was still in state criminal custody, a Form I-247A, ICE Detainer, was lodged with the New York City Queens Central Booking. That detainer was not honored, and the petitioner was released on his own recognizance by local authorities from criminal custody on or about March 31, 2025.

23. On October 17, 2025, Petitioner was terminated from the ATD Program due to his failure to comply with monthly telephonic reporting requirements.

24. On November 7, 2025, ICE ERO arrested Petitioner at the Queens BI ISAP office located at 163-18 Jamaica Ave., Jamaica, New York 11432 pursuant to a Form I-200, Warrant for Arrest of Alien. The warrant was issued pursuant to INA section 236. Petitioner was served with a copy of the Form I-200-

25. Petitioner was thereafter transported to ICE's processing space at 26 Federal Plaza, New York, New York for processing and to await bedspace at an ICE detention facility.

26. On November 8, 2025, Petitioner was transported to Orange County Jail in Goshen, New York at 4:00 p.m. EST.

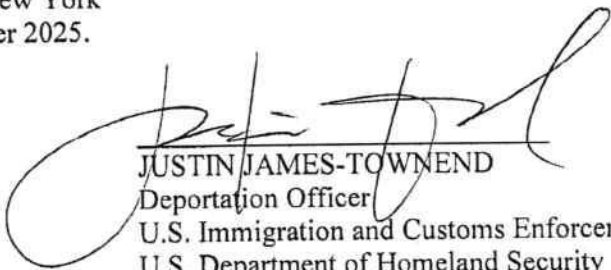
27. On November 9, 2025, filed this Habeas Petition in the Southern District of New York.

28. On November 12, 2025, ICE received notice of this Court's order, issued on November 12, enjoining transfer of the Petitioner outside of the Southern District of New York, Eastern District of New York and District of New Jersey.

29. Petitioner is currently detained at the Orange County Jail.

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

Executed at New York, New York
this 20 day of November 2025.



JUSTIN JAMES-TOWNEND
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security