

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

LEOBARDO OVIEDO OLGUIN,

Petitioner,

v.

Case No. 25-CV-1822


DALE SCHMIDT, et al.

Respondents.

DECLARATION OF DEPORTATION OFFICER ROBERT PODGORNI

In accordance with 28 U.S.C. § 1746, I, Robert Podgorni, make the following sworn declaration under penalty of perjury that the following is true and correct to the best of my knowledge and belief.

1. My name is Robert Podgorni, I am a Deportation Officer assigned to the Chicago Office of Enforcement and Removal Operations (ERO) of the U.S. Immigration and Customs Enforcement (ICE), U.S. Department of Homeland Security (DHS).
2. As a Deportation Officer, my duties include: (1) arresting aliens who are removable from the United States; (2) processing aliens who will be removed from the United States or placed into removal proceedings before an immigration judge; (3) monitoring alien cases until removal; (4) responding to alien requests while in ICE custody; and (5) requesting travel documents and coordinating travel for aliens ordered removed from the United States. My duties may, at times, include other responsibilities related to the apprehension, arrest, and removal of aliens, as needed.

3. At the request of Assistant United States Attorney Aaron Wegrzyn, I make this declaration in my official capacity. The statements contained in this declaration are based upon my personal knowledge of Leobardo Oviedo-Olguin's immigration case; my review of available electronic databases and records kept by ICE in the ordinary course of business; and information provided to me by employees at the facility where he is held, as well as other ICE employees in the course of my official duties.
4. I make this declaration in support of Respondents' answer to the Petition for Writ of Habeas Corpus filed by Leobardo Oviedo-Olguin and to place before the Court information relevant to this matter.
5. In DHS records, Leobardo Oviedo-Olguin is assigned a unique Alien Number that ends in .
6. DHS records indicate that Leobardo Oviedo-Olguin is a native and citizen of Mexico with a final order of removal to Mexico, who has never had any legal immigration status in the United States.
7. According to DHS records, Leobardo Oviedo-Olguin originally entered the United States at an unknown location on an unknown date, and he was never inspected, admitted, or paroled into the United States by an immigration officer.
8. DHS records indicate that Leobardo Oviedo-Olguin was detained by immigration officers in 2019 and, on August 21, 2019, an immigration judge issued a final order of removal of Leobardo Oviedo-Olguin. DHS records also indicate that ICE ERO removed Leobardo Oviedo-Olguin from the United States on September 6, 2019.
9. DHS records indicate that Leobardo Oviedo-Olguin was convicted of several felony and misdemeanor criminal offenses in Wisconsin state court during February 2024.

10. Based on Leobardo Oviedo-Olguin's previous removal order, ICE ERO officials served Leobardo Oviedo-Olguin with a Notice of Intent/Decision to Reinstate Prior Order (Form I-871), a Warrant for Arrest (Form I-200), and a Warrant for Removal (Form I-205) on May 23, 2024.
11. DHS records indicate that, at the time of his arrest, Leobardo Oviedo-Olguin claimed a fear of his return to Mexico.
12. DHS records indicate that Leobardo Oviedo-Olguin has been detained in ICE custody since May 23, 2024, and is currently detained at the Dodge County Jail in Juneau, Wisconsin.
13. DHS issued a Decision to Continue Detention of Leobardo Oviedo-Olguin, pursuant to 8 C.F.R. § 241.4 on August 19, 2024. A true and correct copy of this decision is attached hereto as **Exhibit A**.
14. According to DHS records, immigration officers interviewed Leobardo Oviedo-Olguin on November 14, 2024, pursuant to 8 C.F.R. § 241.4(i), during which Petitioner was offered the opportunity to submit any information that he believed provided a basis for his release from custody.
15. On February 19, 2025, DHS issued a Decision to Continue Detention of Leobardo Oviedo-Olguin, pursuant to 8 C.F.R. § 241.4. A true and correct copy of this decision is attached hereto as **Exhibit B**.
16. On April 28, 2025, an immigration judge granted Leobardo Oviedo-Olguin withholding of removal to Mexico under 8 U.S.C. § 1231(b)(3) and the U.N. Convention against Torture.
17. DHS records indicate that on April 29, 2025, ICE ERO sent requests for acceptance of Leobardo Oviedo-Olguin to the embassies of Guatemala, Honduras, and El Salvador. To date, ICE ERO has yet to receive a response from any of these foreign embassies.

18. In March 2025, DHS issued guidance detailing its policy related to removals to third countries. A true and correct copy of this guidance is attached hereto as **Exhibit C**.

19. ICE ERO is currently investigating third-country removal options for Leobardo Oviedo-Olguin consistent with DHS policy and in accordance with the immigration judge's decision on withholding of removal.

I declare under penalty of perjury that foregoing is true and correct to the best of my knowledge and belief.

Executed on this 24th day of November, 2025.

Robert J. Podgorni

Robert Podgorni
Deportation Officer
ICE/ERO
Chicago, Illinois Field Office