UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Erika Noemy Alcantara De Erazo, *et al.* *Petitioners,* v. Donald J. TRUMP, *et al.*, *Respondents.*	No. 25-cv-10098 (ALC) DECLARATION OF DEPORTATION OFFICER DANIEL MORENO

Pursuant to 28 U.S.C. § 1746, I, Daniel Moreno, 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"). 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 that alien's country of removal to obtain proper travel documents.

2. I have prepared this declaration in connection with a Petition for a Writ of Habeas Corpus filed by the petitioners, Erika Noemy Alcantara de Erazo ("Alcantara de Erazo"), and her two minor children, J.N.E.A. and E.N.E.A (collectively, "Petitioners"). They have been assigned the following Alien Numbers: [redacted] respectively. The following representations are based on my review of their administrative file, consultation with my colleagues, and ICE electronic records and databases.

3. Petitioners are currently detained at the Dilley Immigration Processing Center, a family residential center in Dilley, Texas ("Dilley FRC"), pursuant to Section 241(a)(6) of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1231(a)(6).

4. Alcantara de Erazo and her two minor children are natives and citizens of El Salvador, who illegally entered the United States without inspection, admission, or parole on or about October 26, 2023.

5. On October 27, 2023, U.S. Border Patrol ("USBP") encountered Alcantara de Erazo and her two minor children in the Rio Grande Valley, Texas Border Patrol Sector, near Hidalgo, Texas. A USBP Agent determined they had unlawfully entered the United States from Mexico, at a time and place other than as designated by the Department of Homeland Security ("DHS"). After determining that Petitioners were aliens whom illegally entered the United States, USBP arrested and transported them to the Rio Grande Valley Sector Centralized Processing Center in Donna, Texas.

6. At the Processing Center, USBP advised Alcantara de Erazo of her administrative rights in removal proceedings, and Alcantara de Erazo acknowledged understanding these rights. Alcantara de Erazo stated she is a citizen and national of El Salvador without the necessary legal documents to enter, pass through, or to remain in the United States. She also admitted to illegally crossing the border without being inspected by an immigration officer at a designated port of entry. Alcantara de Erazo was also notified of the right to communicate with a consular officer from El Salvador as per Article 36(a)(b) of the Vienna Convention of Consular Relations.

7. On November 2, 2023, USBP personally served Alcantara de Erazo and her minor children a Notice to Appear ("NTA"), charging them as inadmissible under INA § 212(a)(6)(A)(i), 8 U.S.C. § 1182(a)(6)(A)(i), as aliens 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. The NTA advised them to appear before an Immigration Judge in New York at 26 Federal Plaza, New York, New York on January 26, 2024. On December 18, 2023, that NTA

was subsequently served on the Executive Office for Immigration Review in New York, New York, thereby commencing removal proceedings against Alcantara de Erazo and her minor children.

8. On November 3, 2023, Petitioners were released from custody on an Order of Release on Recognizance, pursuant to INA § 236(a)(2), 8 U.S.C. § 1226(a)(2). That Order of Release on Recognizance allowed for release provided Alcantara de Erazo complied with specified conditions, including, among other things: (i) a requirement to report for any hearing or interview as directed by Immigration and Customs Enforcement ("ICE") or the Executive Office for Immigration Review; (ii) a requirement to surrender for removal from the United States if so ordered; (iii) enrollment in the Alternatives to Detention Program's Intensive Supervision Appearance Program ("ISAP"), (iv) a requirement to report to an Immigrations and Customs Enforcement (ICE") duty officer at the New York Field Office on December 20, 2023; and (v) a requirement to assist ICE in obtaining any necessary travel documents. Alcantara de Erazo acknowledged that the contents of the Order of Release on Recognizance were interpreted and explained to her in Spanish, and that failure to comply with the terms of the Order of Release on Recognizance may subject her to detention.

9. On December 20, 2023, Alcantara de Erazo and her minor children reported to the ICE duty officer at the New York Field Office.

10. On January 26, 2024, Alcantara de Erazo and her minor children failed to appear for their first master calendar hearing in immigration court, and were subsequently ordered removed *in absentia*, pursuant to INA § 240(b)(5)(A), 8 U.S.C. § 1229a(b)(5)(A), by an immigration judge in New York, New York.

11. On March 25, 2024, Alcantara de Erazo and her minor children filed a motion to reopen with the Immigration Judge, as well as a Form I-589, Application for Asylum and Withholding of Removal. On April 4, 2024, the Immigration Judge denied the motion to reopen.

12. On May 1, 2024, Petitioners timely appealed the denial of their motion to reopen to the Board of Immigration Appeals ("BIA"). Their appeal before the BIA is fully briefed and currently remains pending.

13. On November 5, 2025, Alcantara de Erazo attended a regularly scheduled in-person ISAP appointment, where a Case Specialist discussed a departure plan with her and instructed her to provide departure plane tickets to ISAP by November 24, 2025, for herself and her minor children to depart the country. She was informed that she must depart the country by December 12, 2025.

14. On December 3, 2025, Alcantara de Erazo attended another regularly scheduled in-person ISAP appointment, where she informed a Case Specialist that she did not bring her plane tickets to depart the country. She stated that her attorney advised her not to purchase the plane tickets before reporting to 26 Federal Plaza on December 18, 2025. An ICE officer reviewed her case and instructed her to report the next day with her two children and all immigration paperwork to 26 Federal Plaza in Manhattan.

15. On December 4, 2025, Alcantara de Erazo and her minor children reported to ICE offices at 26 Federal Plaza in Manhattan as directed. At that check-in, ICE took Alcantara de Erazo and her minor children into custody for the purpose of effectuating their final order of removal. Following their arrest, Petitioners were booked into New York's temporary hold room located at 26 Federal Plaza.

16. During processing, Petitioners were issued Forms I-205 (Warrant of Removal/Deportation), Forms I-294 (Warning to Alien Ordered Removed or Deported), Forms I-229(a) (Warning for Failure to Depart), and ICE officers prepared a record the encounter on Form I-213. In addition Alcantara de Erazo provided a sworn statement to ICE officers concerning her custody and detention, recorded on Form I-215B.

17. After ICE officers completed processing Petitioners on December 4, 2025, they transferred custody of the Petitioners to an ICE contractor for transportation to Dilley FRC. On December 5, 2025, Petitioners were transported to the Dilley FRC, where they remain detained pursuant to INA section 241(a)(6), 8 U.S.C. § 1231(a)(6), pending their removal from the United States.

18. On December 5, 2025, Alcantara de Erazo filed an emergency motion for stay of removal with the BIA, which remains pending.

19. ICE routinely effectuates removals to El Salvador, and ICE is unaware of any impediments to effectuating Petitioners' removal to El Salvador.

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 December 2025.

Daniel Moreno

Daniel Moreno
Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security