

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No.

Mohamed, Abdirashid Hirsi)	
)	
Petitioner,)	
)	DECLARATION OF
)	JAMES L. VAN DER VAART
v.)	
)	
Kristi Noem)	
Secretary of U.S. Department)	
of Homeland Security, et al.,)	
)	
Respondents.)	

James L. Van Der Vaart, Deportation Officer, United States Immigration and Customs Enforcement (“ICE”), Department of Homeland Security, 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 and statements.

2. I am and have been employed with Immigration and Customs Enforcement (“ICE”) since April 01, 2007. I began my career as an Immigration Enforcement Agent. On September 20, 2015, I was promoted to Deportation Officer.

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. On October 21, 2024, U.S. Border Patrol (USBP) encountered MOHAMED, Abdirashid Hirsi near Dulzura, California. Attached as **Exhibit 1** is a true and accurate copy of MOHAMED's Form I-213. MOHAMED claimed to be a citizen and national of Somalia and was not in possession of any valid immigration documents that would allow him to enter, pass through, or remain in the United States. USBP issued an Expedited Removal Order and assigned Alien Registration Number (A) 221 345 521.

5. On October 30, 2024, MOHAMED claimed a fear of return to his country.

6. On November 1, 2024, ICE served form M-444 information about credible fear interview. Mohamed acknowledged the form and ICE submitted a Credible Fear packet to U.S. Citizenship and Immigration Services (USCIS).

7. On November 21, 2024, USCIS issued a positive fear finding which triggered the issuance of a Notice to Appear (NTA) in immigration court at Los Angeles, California. Attached as **Exhibit 2** is a true and correct copy of a Notice to Appear dated November 21, 2024.

8. On December 12, 2024, an immigration judge (IJ) granted a Change of Venue (COV) to move immigration proceedings to St. Paul, Minnesota.

9. On November 26, 2024, ICE Enforcement and Removal Operations (ERO) officers released MOHAMED on parole enrolling him in the Alternatives to Detention (ATD) program. MOHAMED was entered into the ATD program in St. Paul, MN.

10. On December 4, 2025, ICE St. Paul arrested MOHAMED due to multiple violations of the ATD program by missing three (3) separate biometric check ins over a 10 month period in 2025.

11. On December 30, 2025, an IJ at Fort Snelling, MN continued the Master Calendar Hearing to January 13, 2026.

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

13. Further your affiant sayeth not.

**JAMES L VAN
DER VAART**

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VAN DER VAART
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James L. VanDerVaart, Deportation Officer
U.S. Immigration and Customs Enforcement