

EDUAR VILLANUEVA-MILLA,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

Case No. 26-CV-349 (GHW)

**DECLARATION OF
SUPERVISORY DETENTION AND
DEPORTATION OFFICER
FRANK FRANCO**

Pursuant to 28 U.S.C §1746, I, Frank Franco, hereby declare under penalty of perjury that the following is true and correct:

1. I am a Supervisory Detention and Deportation Officer (SDDO) with the U.S. Department of Homeland Security, Immigration and Customs Enforcement (ICE). I make this declaration based on my personal knowledge, review of official records maintained by ICE, and information provided to me in the course of my official duties.
2. On or about January 12, 2018, U.S. Customs and Border Protection (CBP) encountered Petitioner in the Rio Grande Valley, Texas. Petitioner unlawfully entered the United States as an unaccompanied minor at the age of 17.
3. CBP determined that Petitioner is a native and citizen of Honduras who entered the United States without inspection, and so CBP arrested Petitioner pursuant to Section 287 of the Immigration and Nationality Act (INA) and transported him to the Rio Grande Valley Processing Center for further processing.
4. On January 13, 2018, during processing, CBP served Petitioner with a Warrant for Arrest of Alien (Form I-200), as well as a Notice to Appear (NTA), charging Petitioner as

§ 1182(a)(6)(A)(i), as an alien present in the United States at any time or place other than as designated by the Attorney General.

5. On the same day, CBP detained Petitioner at His House Children's Home in Miami-Dade County, Florida, pursuant to the authority contained in INA § 236.
 6. On March 5, 2018, the U.S. Department of Health and Human Services' Office of Refugee Resettlement ("ORR") released Petitioner to his uncle residing in Monroe, New York. Petitioner's uncle agreed to the provisions set forth in the Sponsor Care Agreement regarding Petitioner's care, safety, and well-being, and assumed responsibility for ensuring Petitioner's presence at all future hearings before DHS and the Immigration Court.
 7. On November 13, 2020, Petitioner was arrested for Driving While Intoxicated in violation of VTL 1192(3). Petitioner subsequently pled guilty to Driving While Ability Impaired by the Consumption of Alcohol, in violation of VTL 1192(1), an infraction, and was sentenced to a Conditional Discharge and a fine on October 19, 2023.
 8. On August 9, 2023, Petitioner via his counsel requested ICE to join in a motion to dismiss removal proceedings without prejudice.
 9. On August 16, 2023, the Immigration Judge granted the parties' joint motion to dismiss removal proceedings without prejudice.
 10. On January 12, 2026, a joint task force with ICE was present in the vicinity of 120 Forest Avenue, Monroe, New York, attempting to locate another alien. At approximately 7:40 a.m., a man matching the description of the target appeared outside the residence. ICE and the joint task force approached the man, who was subsequently identified as
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United States illegally.

11. At approximately 7:45 am on January 12, 2026, ICE apprehended Petitioner pursuant to a Warrant for Arrest of Alien (Form I-200) and transported him to the ICE Newburgh Sub Office for processing.
12. On the same day, ICE issued and served a new Notice to Appear (NTA) on Petitioner, charging him as inadmissible to the United States pursuant to INA § 212(a)(6)(A)(i), 8 U.S.C. § 1182(a)(6)(A)(i), as an alien present in the United States at any time or place other than as designated by the Attorney General. Petitioner was also charged as inadmissible pursuant to INA § 212(a)(7)(A)(i)(I), 8 U.S.C. § 1182(a)(7)(A)(i)(I), as an immigrant 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.
13. Petitioner is currently detained at Orange County Jail in Goshen, New York pursuant to INA § 235(b), 8 U.S.C. § 1225(b)(2)(A), pending his removal proceedings.

Executed on this 22nd day January 2026.



Frank Franco
Supervisory Detention and Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security