

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GJON MHILLI,

Petitioner,

v.

LADÉON FRANCIS, *et al.*,


Respondents.

No. 26-cv-392 (KPF)

**DECLARATION OF SUPERVISORY
DETENTION AND DEPORTATION
OFFICER RONALD ROMERO**

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

1. I am a Supervisory Detention and Deportation Officer with U.S. Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations (“ERO”), within the U.S. Department of Homeland Security (“DHS”). As a Supervisory Detention and Deportation Officer, I manage the cases of aliens who are in immigration proceedings, and certain aliens who are in detention.

2. I have prepared this declaration in connection with a Petition for a Writ of Habeas Corpus filed by the petitioner, Gjon Mhilli (“Mhilli”). Mhilli has been assigned the following Alien Number: . The following representations are based on my personal knowledge, review of Mhilli’s administrative file, consultation with my colleagues, and ICE electronic records and databases.

3. Mhilli was born in the former Yugoslavia and is a citizen of Albania.

4. On March 26, 1968, when approximately three and a half years old, Mhilli was granted lawful permanent resident (“LPR”) status in the United States as a child of an LPR.

5. On March 2, 1985, Mhilli was arrested by the Sterling Heights Police Department for a traffic offense, specifically driving while license suspended, in Sterling Heights, Michigan. On June 8, 1987, Mhilli was found guilty of this offense, a misdemeanor, and fined \$150.

6. On April 27, 1987, Mhilli was arrested in Detroit, Michigan by the Drug Enforcement Administration (“DEA”) for conspiracy to distribute heroin. On November 4, 1987, Mhilli was convicted in the United States District Court for the Eastern District of Michigan of conspiracy to distribute heroin, in violation of 18 U.S.C. § 846, and was sentenced to one year and one day in prison, with a subsequent probationary period of three years.

7. On September 15, 1991, Mhilli was arrested by the Sterling Heights Police Department for operating a vehicle while his license, registration certificate, or vehicle group designation was suspended, revoked, or denied, in violation of Michigan law. On March 10, 1994, Mhilli was arrested by the Sterling Heights Police Department for operating a vehicle with a suspended license. On May 26, 1994, Mhilli was convicted of a misdemeanor and fined \$395 for both the 1991 and 1994 arrests.

8. On January 24, 2005, Mhilli attempted to renew his LPR card at USCIS in Detroit, Michigan. A background check revealed the 1987 conviction for conspiracy to distribute heroin. On the same day, USCIS served Mhilli with a Notice to Appear (“NTA”) charging Mhilli as removable under INA § 237(a)(2)(A)(iii), 8 U.S.C. § 1227(a)(2)(A)(iii), for committing an aggravated felony after entry, namely an offense relating to the illicit trafficking of a controlled substance, and INA § 237(a)(2)(B)(i), 8 U.S.C. § 1227(a)(2)(B)(i), for being convicted of a controlled substance violation. ICE did not detain Mhilli at that time. Removal proceedings were thereafter commenced against Mhilli.

9. On May 13, 2005, Mhilli appeared at an initial master calendar hearing before an Immigration Court in Detroit, Michigan. On October 14, 2005, Mhilli appeared, with counsel, before the Immigration Court, which took pleadings and sustained the charges. Mhilli sought a waiver of removal pursuant INA § 212(c), 8 U.S.C. § 1182(c), which is within the Immigration Court's discretion to grant or deny.

10. On January 18, 2006, Mhilli committed an assault resulting in serious or aggravated injury, in violation of Michigan Consolidated Laws ("MCL") 750.81A, a misdemeanor and turned himself in on a warrant on February 6, 2006. Mhilli was convicted with a plea of no contest. On April 6, 2006, Mhilli was sentenced in Michigan state court to 12 months' probation, community service, programs, restitution, and fines. On January 23, 2008, ICE amended the NTA to lodge an additional charge of removability, contending that the aggravated assault conviction, coupled with the conviction for conspiracy to distribute heroin, also rendered Mhilli removable as an alien convicted of two crimes of moral turpitude pursuant to INA § 237(a)(2)(A)(ii), 8 U.S.C. § 1227(a)(2)(A)(ii).

11. On December 7, 2007, the Immigration Court held the final hearing on Mhilli's § 212(c) waiver request. Although the Immigration Court issued an oral decision on that date, at ICE's request, it stayed the decision pending receipt of additional criminal records and motion practice. On May 5, 2008, the Immigration Court denied Mhilli's § 212(c) waiver request and ordered Mhilli removed to Albania or, in the alternative, Serbia. Mhilli filed a timely appeal with the Board of Immigration Appeals ("BIA") and moved before the BIA to remand proceedings.

12. On December 17, 2009, Mhilli was charged by the Michigan Department of Attorney General Criminal Investigative Division with a gaming control and revenue violation, in violation of MCL 432.225, a misdemeanor. The disposition is unknown.

13. On March 19, 2010, the BIA dismissed the appeal and denied the motion to remand, rendering Mhilli's removal order final.

14. On April 19, 2010, ICE encountered Mhilli as he departed his residence and apprehended him for purposes of executing his final removal order. ICE initially detained Mhilli at Macomb Correctional Facility in Lenox, Michigan and then booked him at Calhoun County Corrections in Battle Creek, Michigan. On April 27, 2010, ICE initiated the process to obtain a travel document from Albania; however, these attempts were unsuccessful at that time.

15. Mhilli remained detained by ICE until July 21, 2010, when ICE served him an Order of Supervision ("OSUP") (I-220B) and released him, because ICE had been unsuccessful in obtaining travel documents. The OSUP required Mhilli to report to ICE as scheduled, not travel outside Michigan without notifying ICE, obey all laws, maintain residence and employment, and "make good faith and timely efforts to obtain a travel document and assist ICE in obtaining a travel document." A July 20, 2010, release notification also stated: "Once a travel document is obtained, you will be required to surrender to ICE for removal. You will, at that time, be given an opportunity to prepare for an orderly departure."

16. On June 12, 2015, the Clinton Township Police Department in Michigan arrested Mhilli for a traffic offense, a misdemeanor; the disposition is unknown.

17. From 2010 through 2017, ICE had attempted to obtain travel documents for Mhilli from Albania and also asked Mhilli to try to obtain travel documents from Albania and Serbia. On or about June 9, 2017, ICE officers discovered Mhilli had applied for travel documents from Serbia, Kosovo, and Albania. ICE instructed Mhilli to contact the Albanian consulate for a passport. From July 2017 through April 2020, Mhilli made efforts to obtain an Albanian passport. On April 7, 2020, Mhilli told ICE that he applied for travel documents from Albania, Kosovo, and

Montenegro, but stated all were denied. ICE's efforts to obtain travel documents were also unsuccessful.

18. Mhilli failed to appear for scheduled appointments with ICE on August 5, 2021; March 23, 2022; and August 31, 2022. Although ICE and Mhilli continued to work to obtain travel documents from Albania in 2023, by 2025, ICE concluded that Mhilli was no longer making a good faith effort to obtain travel documents.

19. Transportation Security Administration ("TSA") informed ICE that Mhilli was scheduled to depart from LaGuardia Airport to Orlando, Florida on January 14, 2026, at approximately 6:30 am. Although Mhilli had not notified ICE that he left Michigan, as required by the OSUP, on January 14, 2026, at approximately 5:53 a.m., ICE encountered Mhilli at departure Gate 4 of Terminal A at LaGuardia Airport in Queens, New York. Only ticketed, departing passengers are permitted in the departure gate area; family and friends waiting for arrivals are not allowed in this area. Mhilli's presence at the departure gate indicates he was preparing to board a departing flight. Mhilli informed ICE officers of his name, and ICE confirmed Mhilli lacked legal immigration status. At approximately 6:05 a.m. on January 14, 2026, ICE officers informed Mhilli verbally that his OSUP was revoked and arrested Mhilli pursuant to a warrant for arrest (Form I-200) for lack of immigration status in the United States. ICE then transferred Mhilli to 26 Federal Plaza New York, New York for processing.

20. While at 26 Federal Plaza, at 8:05 a.m. on January 14, 2026, a Deportation Officer personally served Mhilli with a copy of a Notice of Revocation of Release, which advised Mhilli that "[his] order of supervision has been revoked and [he] will be detained in the custody of U.S. Immigration and Customs Enforcement (ICE) at this time." The Notice further stated that the decision to revoke the OSUP "has been made based on a review of [Mhilli's] official alien file and

a determination that there are changed circumstances in [Mhilli's] case." The Notice further explained that "ICE has determined that you can be expeditiously removed from the United States pursuant to the outstanding order of removal" to Albania or Serbia. The Notice stated that Mhilli "will promptly be afforded an informal interview at which [he] will be given an opportunity to respond to the reasons for the revocation." The Notice was signed by Assistant Field Office Director Alberto Morales.

21. Also on January 14, 2026, at 26 Federal Plaza, after providing Mhilli with the above notice, ICE conducted an initial informal interview with Mhilli to afford him an opportunity to respond to the reasons for revocation of his OSUP. At the interview, Mhilli stated: "You guys don't know what you [sic] doing right now. Why let me travel. I could have reported to Michigan on my Order of Supervision. I don't understand what's going!"

22. ICE also gave Mhilli copies of the following documents on January 14, 2026: Warrant of Removal and Deportation (Form I-205); Warning to Alien Ordered Removed or Deported (Form I-294); Warning for Failure to Depart (Form I-229(a)) and Instruction Sheet to Detainee Regarding Requirement to Assist in Removal; Online Detainee Locator System Privacy Notice; and Statement of When Consular Notification is at the Foreign National's Option.

23. On January 15, 2026, ICE transferred Mhilli to Orange County Jail in Goshen, New York, pending his removal, where he remains detained today.

24. ICE and Orange County Jail are aware that Mhilli claims to have stage four kidney failure and diabetes and is taking medication. Orange County Jail is able to provide appropriate treatment for Mhilli's medical needs. While at Orange County Jail, Mhilli has been allowed to communicate with family and friends via phone, and he will also be allowed to communicate with

them via videoconference when his seven-day quarantine period ends pursuant to Orange County Jail's normal quarantine procedures.

25. ICE intends to remove Mhilli to Albania or Serbia, or if not possible, a third country, and is in the process of obtaining travel documents. ICE has not previously tried to remove Mhilli to a third country. Because the relationship between the United States and other countries including Albania has improved, it is very likely that a travel document can be obtained from Albania soon.

Executed at New York, New York
this 20th day of January 2026.

A handwritten signature in black ink, consisting of two large, stylized capital letters 'R' and 'R' connected together.

Ronald Romero
Supervisory Detention and Deportation Officer
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security