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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 Y.A.A.,

11 Petitioner,

12 v.

13 CHRISTOPHER LAROSE, *et al.*,

14 Respondents.
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Case No.: 26-cv-3071-LEK-VET

**RESPONSE TO PETITIONER'S
OPPOSITION AND REQUEST TO
ENFORCE THE JUNE 30, 2026
ORDER**

1 **I. INTRODUCTION**

2 Pursuant to the Court's July 17, 2026 Order, Respondents respond in opposition
3 to Petitioner's objections to the age determination conducted by Immigration and
4 Customs Enforcement (ICE). The William Wilberforce Trafficking Victims Protection
5 Reauthorization Act of 2008 (TVPRA) requires federal agencies (HHS and DHS) to
6 work together to formulate a set of policies and procedures for making age
7 determinations. 8 U.S.C. § 1232(b)(4). The resulting policies and procedures are set
8 forth in the Office of Refugee Resettlement (ORR) Guide, which, in section 1.6, outlines
9 procedures for "Determining the Age of an Individual without Lawful Immigration
10 Status." The ORR Guide expressly recognizes the difficult nature of making an age
11 determination. These challenges include, but are not limited to, unavailable
12 documentation and contrary or fraudulent identity documentation and/or statements.
13 Under the governing procedures, each case must be evaluated carefully based on the
14 totality of all available evidence. *Imon v. Keeton*, 2020 WL 4284378 (D.Ariz. 2020).

15 The ICE age determination, recorded in the July 14, 2026 Form G-166C,
16 Memorandum of Investigation, complies with this Court's Order as well as the TVPRA.
17 As a result, the Court should deny Petitioner's requests for relief.

18 **II. FACTS AND ARGUMENT**

19 In reaching its conclusion that Petitioner was an adult, ICE ERO considered the
20 totality of the evidence to include the credibility of Petitioner's own statements and
21 allegations upon initial entry and during his credible fear interview and immigration
22 proceedings, the incontrovertibly fraudulent birth certificate, the dental examination
23 result, the asylum officer's "possible UAC" notation, his detention medical records, and
24 all other evidence in his record. Throughout the report, Deportation Office Hugo
25 Ramirez indicates the weight he gave or did not give to particular evidence by
26 describing the factors which led to his conclusions on the veracity or importance of a
27 particular fact. *See, generally*, ECF No. 13, G-166C. Where every piece of evidence
28 from unbiased sources points only to the incredibility of Petitioner, his claimed age,

1 birth certificate and allegations against ICE officers, DO Ramirez made a factually
2 supported totality of the evidence determination that Petitioner was over 18 years of age
3 at the time of his illegal entry.

4 Petitioner claims that ICE ERO did not sufficiently weigh his statements to
5 USCIS regarding his age and credibility. DO Ramirez considered both and documented
6 the reasons to discount the information provided to USCIS. USCIS interviews are
7 intended to initially determine whether a person is most likely the person they say they
8 are. That Petitioner twice repeated, falsely, that his birthday was in 2008 during the
9 interview does not lend any greater credibility to his statement nor does USCIS stating
10 that he has established his identity to a reasonable certainty. Even with that conclusion,
11 USCIS did not indicate any certainty as to his date of birth when they noted their
12 uncertainty of Petitioner's age by entering "possible UAC." As DO Ramirez indicates,
13 USCIS was flagging the issue not rendering an opinion on whether the Petitioner was a
14 minor. *Id.* Regardless, Petitioner ignores that DO Ramirez addressed his birthdate
15 claims that obviously led USCIS to make the notation. *Id.* DO Ramirez

16 DO Ramirez also addresses the incredible claims regarding coercion by ICE
17 officers. The evidence of this lie does not arise from only his incredible testimony
18 during his removal proceedings but is contradicted directly, as noted by DO Ramirez,
19 by his detention medical records. Petitioner claimed to be sick and unable to eat after
20 being placed in a cold cell for 3 days. *Id.* at 2. His medical records show no evidence of
21 him being sick or refusing to eat. *Id.*

22 Petitioner again claims, despite all the evidence to the contrary, that the birth
23 certificate, which was belatedly discovered in his possessions, is a valid supporting
24 document of his 2008 birth date. First, there is a claim that because ICE did not directly
25 contact the Ethiopian consulate or embassy, the conclusions of DO Ramirez are
26 somehow invalid. ICE ERO is not an authorized diplomatic representative of the United
27 States. Therefore, it is reasonable for DO Ramirez, in order not to violate Federal Law's
28 restricting who may represent the interests of the United States to foreign nations, to

1 access information gathered by the Department of State to assess the validity of a
2 purported foreign birth certificate. Regardless, the ORR guidance applies when an
3 original or certified birth certificate is unavailable and a copy is presented. That is not
4 the case here. There has been no original or copy provided. Petitioner only possessed a
5 fraudulent birth certificate provided by a human smuggler. DO Ramirez provided
6 extensive and multiple reasons to question the validity of the birth certificate. *Id.* at 1
7 and 2. The most damning evidence, and one which Petitioner's filing ignores, is that
8 Petitioner admitted, during his testimony during his removal proceedings, that he did
9 not obtain the birth certificate from a official government source but from his human
10 smuggler in 2023 which matched the date of issuance on the birth certificate. *Id.* Not
11 only is the birth certificate conclusively a fake, it also demonstrates that Petitioner
12 intended to perpetrate a fraud upon the United States which would reasonably lead an
13 investigator to discount the Petitioner's veracity.

14 DO Ramirez does not rely on the age-determination by the immigration judge on
15 May 22, 2026, which this Court prohibited, but does necessarily consider the evidence
16 presented at that hearing as well as at the removal proceedings hearing at which
17 Petitioner testified. An Immigration Judge's findings as to the credibility of the
18 Petitioner now encountering the crucible of an adversarial proceeding are certainly
19 relevant to an assessment of the evidence before DO Ramirez. *Id.* at 2.

20 Respondents have complied with the ORR Guide and TVPRA as documented by
21 DO Ramirez in his Memorandum of Investigation by assessing the totality of the
22 evidence. Under these circumstances, Petitioner cannot sustain any of his claims for
23 relief.

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