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11 CORRECTIONS CORPORATION OF AMERICA, JOE
EASTERLING AND CHARLES HOWARD

12 **UNITED STATES DISTRICT COURT**
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 ISAAC KIGONDU KINITI; JOSE
15 MORALES-VARGAS; SYLVESTER
16 OWINO; HERNAN ISMAEL DELGADO;
and ANY CASTRO, on behalf of
themselves and all others similarly situated,

17 Plaintiffs,

18 v.

19 JULIE L. MYERS, Assistant Secretary,
20 U.S. Immigration and Customs
Enforcement (ICE); JOHN P. TORRES,
21 Director, Office of Detention and Removal
Operations, ICE; RON SMITH, Director,
22 San Diego Field Office, ICE; ANTHONY
CERONE, Officer-in-Charge at San Diego
23 Correctional Facility (SDCF), ICE;
24 CORRECTIONS CORPORATION OF
AMERICA, INC. (CCA); JOE
25 EASTERLING, SDCF Warden, CCA;
26 CHARLES HOWARD, SDCF Assistant
Warden, CCA,

27 Defendants.
28

Case No. 05cv1013 DMS(PCL)

**DEFENDANTS CORRECTIONS
CORPORATION OF AMERICA, JOE
EASTERLING AND CHARLES HOWARD'S
MOTION TO DISMISS PLAINTIFF'S
SECOND AMENDED COMPLAINT**

Filed: May 9, 2005
Judge: Honorable Dana M. Sabraw
Magistrate: Honorable Peter C. Lewis
Trial: Not Yet Set

1
2 Defendants Corrections Corporation of America (“CCA”), Joe Easterling and
3 Charles Howard, through counsel and pursuant to Fed. R. Civ. P. 12(b)(6), hereby move
4 to dismiss Plaintiffs’ Second Amended Complaint for the reasons that: (1) Plaintiffs Jose
5 Morales-Vargas, Hernan Ismael Delgado and Any Castro are no longer detained at the
6 San Diego Correctional Facility; and (2) Plaintiffs Isaac Kigondu Kiniti and Sylvester
7 Owino’s claims for declaratory and injunctive relief are moot. The San Diego
8 Correctional Facility is not triple celling ICE detainees, not permanently housing ICE
9 detainees in bunks in the detainee day rooms, and not housing ICE detainees in Receiving
10 and Discharge holding cells.

11 This Motion is supported by the following Memorandum of Points and Authorities,
12 attached Affidavit of Warden Joe Easterling and all pleadings filed herein.

13 **MEMORANDUM OF POINTS AND AUTHORITIES**

14 **I. INTRODUCTION**

15 Plaintiffs are civil immigration detainees who are, or were previously, detained at
16 Defendant CCA’s San Diego Correctional Facility (SDCF). Defendant Easterling is
17 SDCF’s Warden. Defendant Howard is a SDCF Assistant Warden. Plaintiffs have also
18 sued numerous U.S. Immigration and Customs Enforcement (ICE) officials.

19 In their Second Amended Complaint, Plaintiffs seek declaratory and injunctive
20 relief under the Fifth Amendment Due Process Clause. Plaintiffs allege that
21 overcrowding at SDCF has unconstitutionally put them at continuing risk of increased
22 violence, illness and mental suffering. *See* Second Amended Complaint, ¶¶111. As to
23 overcrowding, Plaintiffs allege that Defendants have unconstitutionally triple celled ICE
24 detainees, forced ICE detainees to sleep in bunk beds in housing unit dayrooms and
25 housed ICE detainees in holding cells in the Receiving and Discharge Unit beyond the
26 normal in-processing period. *See* Second Amended Complaint, ¶¶54, 41, 75-79.
27 Plaintiffs also allege that the practice of triple-celling affects 675 out of 1000 ICE
28

1 detainees assigned to SDCF. *See* Second Amended Complaint, ¶2. Plaintiffs seek to
2 have this court enjoin Defendants from overcrowding SDCF. *See* Second Amended
3 Complaint at “Prayer for Relief”(c), (d).

4
5 **II. CURRENT POPULATION STATUS OF THE SAN DIEGO COUNTY**
6 **CORRECTIONAL FACILITY**

7 **A. Remaining Plaintiffs Assigned to SDCF.**

8 On January 27, 2007, per Release Order by ICE, Plaintiff detainee Jose Morales-
9 Vargas (A 70 161 279) was discharged from SDCF. Detainee Morales has not returned to
10 the facility. *See* Affidavit of Warden Joe Easterling attached hereto as Exhibit 1. Four
11 days later, on January 31, 2007, Plaintiff detainee Any Belinda Castro (A 94 287 102)
12 was discharged from SDCF to the custody of Immigration Enforcement Agent Chris Hall.
13 *See id.* Plaintiff Any Belinda Castro (A 94 287 102) was deported to Honduras on
14 February 1, 2007. *See id.* On February 16, 2007, ICE transferred detainee Herman Ismael
15 Delgado-Milagro (A 78 461 226) out of SDCF. *See id.* Only Plaintiff detainees Sylvester
16 Owino and Isaac Kiniti remain detained at SDCF – and they, like all ICE detainees, are
17 not triple celled, housed in a dayroom, or housed in a Receiving and Discharge Unit
18 holding cell. *See id.*

19 **B. Current Population Status of SDCF.**

20 ICE contracts with CCA to house ICE detainees at CCA’s San Diego Correctional
21 Facility. *See id.* Pursuant to contract terms set by ICE, only the local ICE field-office
22 may order the release or transfer of a detainee into or out of a CCA facility, including
23 SDCF. *See id.* Under its contract with ICE, CCA/SDCF has no input concerning whether
24 or when ICE detainees are transferred into or out of a CCA facility. *See id.* Nor does
25 CCA/SDCF have any input over which particular ICE detainees are housed at a particular
26 CCA facility. *See id.*

27 On January 27, 2007, CCA/SDCF received a Department of Homeland Security
28 Form I-203B, Order to Release Aliens, from ICE Immigration Enforcement Agent W.

1 Michael Meeker, directing SDCF to prepare 104 detainees for permanent discharge from
 2 SDCF and for transfer to other ICE detention facilities. *See id.* The transfer of ICE
 3 detainees out of SDCF on January 27, 2007, resulted in an ICE detainee population
 4 decrease that negated any prior necessity of triple celling a portion of the ICE detainee
 5 population. *See id.* It also negated the prior need to regularly house a portion of the ICE
 6 detainee population in temporary beds in the housing unit dayrooms for more than a
 7 twenty-four hour period of time to complete classification and permanent housing
 8 assignments. *See id.*

9 Since January 27, 2007, no ICE detainee has been triple celled at SDCF. *See id.*
 10 All temporary floor bunks (which included mattresses) previously used to triple cell ICE
 11 detainees, have been removed from the housing units. *See id.* Even during the period of
 12 triple celling, however, detainees were not confined to their cells continuously. *See id.*
 13 Rather, as discussed in more detail below, with the exception of security counts, general
 14 population ICE detainees are free to spend time outside their cells and in the housing unit
 15 day rooms from 6:00 a.m. to 11:00 p.m. *See id.*

16 SDCF operates five housing units. *See id.* Each housing unit houses 200
 17 detainees, two detainees assigned to each cell. *See id.* The housing units are divided
 18 into three pods. *See id.* Two pods contain 34 cells and the third pod contains 32 cells.
 19 *See id.* SDCF has 800 detainee beds designated for ICE detainee housing. *See id.* Since
 20 January 27, 2007, the average ICE detainee population has ranged as follows:

21	January 27-31, 2007	High (704)	Low (624)
22	February, 2007	High (683)	Low (641)
23	March, 2007	High (690)	Low (575)
24	April, 2007	High (662)	Low (605)

25 *See id.*

26 Based upon the above population statistics, the number of ICE detainee beds
 27 available has exceeded the total ICE detainee population from January 27, 2007, to the
 28 present date. *See id.* Accordingly, no ICE detainees are triple celled. *See id.* Rather,

1 each ICE detainee is assigned to a bunk bed in a cell. *See id.* Each cell contains two beds,
2 configured bunk bed style. *See id.* Each cell also contains a toilet, sink, desk with stool,
3 and property boxes for detainees to store personal items. *See id.*

4 Occasionally, ICE detainees are assigned to temporary bunks located in the
5 housing unit dayrooms. *See id.* However, this is a temporary situation usually not
6 exceeding twenty-four hours, and occurs while detainee classification is completed and
7 an appropriate classification housing assignment is made. *See id.* Additionally, no ICE
8 detainees are housed in the Receiving and Discharge Unit after the initial in-processing
9 time, which averages twelve hours. *See id.* Defendants do not know of any future plan by
10 ICE to transfer any number of ICE detainees to SDCF that would exceed the present ICE
11 detainee available bed space.¹ *See id.*

12 ICE detainees are housed in units that include day rooms where detainees are free
13 to move about, watch television and participate in games and recreation activities. *See id.*
14 Cells are open from 6:00 a.m. to 11:00 p.m., except for four daily counts which last on
15 average, thirty minutes each. *See id.* During count times, detainees are required to return
16 to their cells. *See id.* Regular counts are necessary for security accountability. *See id.*
17 Specifically, correctional facilities must be able to account for the entirety of the
18 inmate/detainee population at all times to protect the safety and security of not only the
19 detainees and staff, but also the safety and security of the public. *See id.* In addition to
20 open housing units during the hours of 6:00 a.m. to 11:00 p.m., ICE detainees are
21 permitted three hours of recreation a day. *See id.* One hour is mandatory and the
22 remaining two hours are voluntary. *See id.*

23 Since Warden Easterling's tenure as Warden of SDCF beginning in April, 2005,
24 there have been no outbreaks of any communicable diseases including respiratory disease,
25 methicillin resistant staphylococcus aureus (MRSA), multidrug resistant tuberculosis

26 ¹ The ICE Defendants state in their Motion to Dismiss filed this same date that ICE does not
27 expect the ICE population sent by ICE to SDCF to near or exceed SDCF's available ICE detainee
28 bed space. See ICE Defendants' Motion To Dismiss Plaintiffs' Second Amended Complaint at 6-7.

1 (MDRTB) or other infectious disease. *See id.* Nor have there been any major detainee
2 disturbances. *See id.*

3 The September 2, 2006, incident referred to in Plaintiffs' Second Amended
4 Complaint was confined to Unit D. *See id.* Although the detainees interrupted facility
5 operations by barricading themselves in their housing unit, refusing officer orders and
6 destroying property, necessitating the use of chemical agents to restore discipline, only
7 three inmates complained of injury and these injuries were minor, consisting of
8 complaints of an abrasion, abdominal pain and shortness of breath. *See id.* The detainees
9 were secured in their cells without further resistance after application of chemical agents.
10 *See id.* And, there were also no instances of detainee upon detainee violence during the
11 September 2, 2006, incident. *See id.*

12 Finally, during the temporary periods of triple celling that occurred prior to
13 January 27, 2007, there was no calculable rise in detainee violence, exposure to
14 respiratory or other infections or communicable disease, detainee mental health
15 disturbances, facility plumbing or maintenance issues, or other issues negatively affecting
16 the health and safety of ICE detainees. *See id.*

17 **III. PLAINTIFFS MORALES-VARGAS, DELGADO AND CASTRO'S CLAIMS**
18 **ARE MOOT AS THEY ARE NO LONGER DETAINED AT SDCF**

19 A detainee/inmate's release from custody or transfer to another facility generally
20 moots claims for injunctive relief relating to the prison's policies. *See Dilley v. Gunn*, 64
21 F.3d 1365, 1368 (9th Cir. 1995). This is especially so where a detainee/inmate cannot
22 establish a reasonable expectation that he will be transferred back to the alleged offending
23 facility and once again be subjected to the conditions for which he previously sought an
24 injunction. *See id.* at 1369; *see also Mitchell v. Dupnik*, 75 F.3d 517, 528 (9th Cir. 1996)
25 (finding once plaintiff was removed from a detention center and his petitions for post-
26 conviction relief were denied, the inmate lost standing to seek injunctive relief from
27 detention center practices where there was no reasonable expectation he would be
28 returned to that detention facility); *Darring v. Kincheloe*, 783 F.2d 874, 876 (9th Cir.

1 1986). An inmate/detainee's claim that he or she "might" be transferred back to the
2 alleged offending facility sometime in the future is too speculative to prevent mootness.
3 *See Dilley*, 64 F.3d at 1369.

4 In short, to state a cognizable claim for injunctive relief, Plaintiffs here must prove
5 a sufficient likelihood that they specifically, not others, will be subjected to alleged
6 overcrowding conditions of confinement at SDCF. *See City of Los Angeles v. Lyons*, 461
7 U.S. 95, 101-102, 103 S.Ct. 1660 (1983) (finding plaintiffs lacked standing to seek
8 injunctive relieve regarding use of police choke holds absent a showing of realistic threat
9 to plaintiffs – not others- of future injury). Release or transfer from a correctional facility
10 extinguishes a detainee/inmate's legal interest in an injunction against facility practices
11 because the requested injunction would have no effect on the detainee/inmate. *See*
12 *McQuillion v. Schwarzenegger*, 369 F.3d 1091, 1095 (9th Cir. 2004). Likewise, claims
13 for declaratory relief cannot proceed after a detainee/inmate is transferred. Once a
14 detainee/inmate is released or transferred from the alleged offending correctional facility,
15 a judicial pronouncement in the form of declaratory judgment would become a mere
16 advisory opinion, which the Constitution prohibits. *See id.*; *see also Preiser v. Newkirk*,
17 422 U.S. 395, 401, 95 S.Ct. 2230 (1975).

18 In this case, Plaintiffs Morales-Vargas, Delgado and Castro are not longer detained
19 at SDCF. Plaintiff Castro has been deported from the United States. Since these three
20 Plaintiffs are no longer detained at SDCF, their request for declaratory and injunctive
21 relief from alleged conditions of unconstitutional overcrowding has become moot. This is
22 especially so where: (1) Plaintiff Castro is no longer in the United States; (2) Plaintiffs
23 Morales-Vargas and Delgado are unable to establish a reasonable expectation that they
24 will be transferred back to SDCF; and (3) as discussed below, the conditions of which
25 Plaintiffs complain no longer exist.

26 Based upon Plaintiffs Morales-Vargas, Delgado and Castro's transfers out of
27 SDCF, coupled with the fact that the triple celling, dayroom living assignments and
28 holding room living assignments are not at issue at SDCF, there is no controversy for the

1 Court to decide with respect to these transferred Plaintiffs. Therefore, Plaintiffs' Morales-
2 Vargas, Delgado and Castro's claims are moot and this Court should dismiss the Second
3 Amended Complaint as against these Plaintiffs.

4 **IV. PLAINTIFFS OWINO AND KINITI'S CLAIMS ARE MOOT BECAUSE**
5 **SDCF IS NOT TRIPLE CELLING DETAINEES, OR ASSIGNING**
6 **DETAINEES TO LIVE IN DAYROOMS OR RECEIVING AND**
7 **DISCHARGE UNIT HOLDING CELLS**

8 In this case, Plaintiffs do not seek money damages. Rather, they request a
9 declaratory judgment regarding conditions of confinement at SDCF. Plaintiffs also
10 request the Court enjoin Defendants from triple celling ICE detainees, assigning ICE
11 detainees to live in the housing unit day rooms and assigning ICE detainees to live in the
12 Receiving and Discharge Unit holding cells after initial processing. In order to obtain
13 injunctive relief, Plaintiffs will have to demonstrate "(1) a strong likelihood of success on
14 the merits, (2) the possibility of irreparable injury to the plaintiff if preliminary relief is
15 not granted, (3) a balance of hardships favoring the plaintiff, and (4) advancement of the
16 public interest (in certain cases)." *Johnson v. Cal. State Bd. of Accountancy*, 72 F.3d
17 1427, 1430 (9th Cir. 1995); *see also Clear Channel Outdoor Inc. v. City of Los Angeles*,
18 340 F.3d 810, 813 (9th Cir. 2003). A case or controversy becomes moot, however, where
19 there is no longer a "live" issue or a party lacks a legally cognizable interest in the
20 outcome." *See Murphy v. Hunt*, 455 U.S. 478, 481 (1982).

21 In this case, triple celling ICE detainees, assigning ICE detainees to live in housing
22 unit dayrooms and assigning ICE detainees to live in holding cells in the Receiving and
23 Discharge Unit beyond initial in-processing is not happening. Since January 27, 2007
24 (and before the filing of Plaintiffs' Second Amended Complaint), the ICE detainee
25 population at SDCF has not approached its 800 bed designated capacity. Since January
26 27, 2007, the population high was 704 and the population low was 575. No ICE detainees
27 are triple celled. No housing units exceed double-celling capacity. There are also no ICE
28 detainees assigned to live in bunks in the housing unit day rooms. Moreover, there are no

1 ICE detainees assigned to live holding cells in the Receiving and Discharge Unit.
2 Because Plaintiffs are not subjected to the overcrowded conditions they seek an injunction
3 against, Plaintiffs are unable to establish a strong likelihood of success on the merits, the
4 possibility of irreparable injury to the plaintiff if preliminary relief is not granted and a
5 balance of hardships favoring the plaintiff. The conditions Plaintiffs challenge no longer
6 exist. Therefore, their claim for declaratory and injunctive relief has been rendered moot.

7 While voluntary cessation of challenged practices does not necessarily moot a
8 cause of action, *see Friends of the Earth, Inc. v. Laidlaw Environmental Services (TOC),*
9 *Inc.*, 528 U.S. 167, 189 (2000), this situation is not applicable to the CCA Defendants.
10 Here, per contract terms, CCA does not have the authority to determine when or where
11 ICE detainees are housed or transferred. Accordingly, it cannot be said that decrease in
12 SDCF population since January, 2007, constitutes voluntary action by the CCA
13 Defendants. Since January, 2007, the ICE detainee population continues too fall well
14 below the available 800 ICE detainee bed space. The current population of 662 ICE
15 detainees does not even near the 800 bed space benchmark. Thus, there is no calculable
16 threat the ICE population will begin to near capacity. Moreover, CCA has not received
17 any information from ICE that an amount of detainees approaching or exceeding the
18 designated ICE bed space will occur in the future. Accordingly, Plaintiffs are unable to
19 prove that there is a “sufficient immediacy” in the threat of overcrowding to warrant
20 injunctive relief or declaratory judgment. *See, e.g., Preiser v. Newkirk*, 422 U.S. 395, 402
21 (1975).

22 In sum, Plaintiffs seek cessation of alleged unconstitutional overcrowding at
23 SDCF. However, the current ICE detainee population of 662 detainees does not come
24 near to approaching its 800 ICE detainee capacity. No ICE detainees are triple-celled. No
25 ICE detainees are assigned to live in the unit day rooms. There are also no ICE detainees
26 assigned to live in the Receiving and Discharge holding cells. Moreover, there have been
27 no outbreaks of communicable diseases, no major inmate disturbances resulting in
28 detainee upon detainee assault and no rise in violent detainee conduct even during times

1 that ICE detainee populations necessitated triple celling. The conditions of which
2 Plaintiffs complain of do not exist. Therefore, there is no “sufficient immediacy” to
3 warrant this Court issuing declaratory or injunctive relief. *See Preiser v. Newkirk*, 422
4 U.S. 395, 402 (1975). Because there is no overcrowding at SDCF, Plaintiffs’ request for
5 injunctive relief is moot and declaratory judgment is not warranted.

6 **V. CONCLUSION**

7 There are no ICE detainees triple celled at SDCF. Nor are any ICE detainees
8 assigned to live in the dayroom areas of the living units or the holding cells in the
9 Receiving and Discharge Unit. Accordingly, the conditions for which Plaintiffs seek
10 injunctive and declaratory relief no longer exist and Plaintiffs’ claims are rendered moot.
11 This is especially so for Plaintiffs Morales-Vargas, Delgado and Castro, who are no
12 longer detained at SDCF. Based upon the foregoing, Defendants CCA, Easterling and
13 Howard respectfully request this Court dismiss Plaintiffs’ Second Amended Complaint.

14 Dated: May 4, 2007

JONES, SKELTON & HOCHULI

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27 EASTERLING AND CHARLES HOWARD
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CERTIFICATE OF SERVICE

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The undersigned certifies that on this 4th day of May, 2007 a true and correct copy of *Defendants Corrections Corporation of America, Joe Easterling and Charles Howard's Motion To Dismiss Plaintiff's Second Amended Complaint* was served by ECF Filing on all counsel of record, along with all exhibits, and through agreement of the parties, has been e-mailed to:

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s/ Tonya L. West

EXHIBIT 1

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Isaac Kigondu Kiniti,

Plaintiff,

v.

CCA Detention Officers Harper, Alvarez,
Winters, Payne and Teran,

Defendants.

Case No. 05-cv-1013-DMS(PCL)

**AFFIDAVIT OF JOE EASTERLING
REGARDING POPULATION STATUS OF
CORRECTIONS CORPORATION OF
AMERICA'S SAN DIEGO
CORRECTIONAL FACILITY**

I, JOE EASTERLING, being duly sworn according to law, upon my oath, depose and say:

1. I have been employed by Corrections Corporation of America (hereinafter "CCA") since 1989. Since April 2005, I have served as Warden at the San Diego Correctional Facility (hereinafter "SDCF"). Previously, I served as Warden of the Elizabeth Detention Center from July 2003 until April 2005.

2. I have personal knowledge of the matters contained in this affidavit, have reason to believe that the matters stated therein are true and accurate, and submit this Affidavit in support of Defendants' Opposition to Plaintiffs' Motion for Class Certification

3. CCA is a corporation that operates correctional and detention facilities.

4. CCA provides inmate/detainee residential and transport services, in partnership with states, localities, and the federal government.

5. The United States Department of Homeland Security, Bureau of Immigration and Customs Enforcement (hereinafter "ICE") contracts with several CCA detention facilities for the detention of immigrants facing deportation proceedings.

1 6. The federal government contracts with SDCF to house ICE detainees and
2 United States Marshal Service detainees/inmates.

3 7. Pursuant to contract terms set by ICE, only the local ICE field-office may
4 order the release or transfer of a detainee into or out of a CCA facility, including SDCF.

5 8. Under its contract with ICE, CCA/SDCF has no input concerning whether
6 or when ICE detainees are transferred into or out of a CCA facility.

7 9. Nor does CCA/SDCF have any input over which particular ICE detainees
8 are housed at a particular CCA facility.

9 10. On January 27, 2007, I received a Department of Homeland Security Form
10 I-203B, Order to Release Aliens, from ICE Immigration Enforcement Agent W. Michael Meeker,
11 directing me to prepare 104 detainees for permanent discharge from SDCF and for transfer to
12 other ICE detention facilities. A true copy of this document is Attachment A to this Affidavit.

13 11. The transfer of ICE detainees out of SDCF on January 27, 2007, resulted in
14 an ICE detainee population decrease that negated any prior necessity of triple celling a portion of
15 the ICE detainee population or housing a portion of the ICE detainee population in temporary
16 beds in the housing unit dayrooms for more than a temporary twenty-four hour period of time
17 while detainee classification was completed and an appropriate housing assignments were made.

18 12. Pursuant to the January 27, 2007 Order to Release Aliens, detainee Jose
19 Morales-Vargas (A 70 161 279) was discharged from SDCF on January 27, 2007.

20 13. Detainee Morales has not returned to the facility.

21 14. On January 31, 2007, I received from ICE Deportation Officer Glen Beck a
22 Department of Homeland Security Form I-203A, Order to Detain or Release Aliens, and a
23 Department of Homeland Security Form I-216, Record of Person and Property Transferred,
24 directing me to prepare five detainees for permanent discharge from SDCF and deportation to
25 Honduras. Attachment B hereto is a true copy of these documents.

26 15. Pursuant to the January 31, 2007, Order to Detain or Release Aliens,
27 detainee Any Belinda Castro (A 94 287 102) was discharged from SDCF on January 31, 2007 to
28

1 the custody of Immigration Enforcement Agent Chris Hall. Furthermore, ICE officials advised
2 me that Any Belinda Castro (A 94 287 102) was, in fact, deported on February 1, 2007.

3 16. On February 16, 2007, ICE transferred detainee Herman Ismael Delgado-
4 Milagro (A 78 461 226) out of SDCF.

5 17. Since January 27, 2007, no ICE detainee has been triple-celled at SDCF.

6 18. During the period of triple celling, detainees were not confined to their
7 cells continuously.

8 19. Rather, as discussed below, with the exception of security counts, general
9 population ICE detainees are free to spend time outside their cells and in the housing unit day
10 rooms from 6:00 a.m. to 11:00 p.m.

11 20. Additionally, general population ICE detainees are afforded three hours of
12 outside recreation on a daily basis.

13 21. All temporary floor bunks (which included mattresses) previously used to
14 triple cell ICE detainees have been removed from the housing units.

15 22. Since January 27, 2007, the average ICE detainee population has ranged as
16 follows:

17	January 27-31, 2007	High (704)	Low (624)
18	February, 2007	High (683)	Low (641)
19	March, 2007	High (690)	Low (575)
20	April, 2007	High (662)	Low (605)

21 23. SDCF operates five housing units.

22 24. Each housing unit houses 200 detainees, two detainees assigned to each
23 cell.

24 25. Each housing unit is divided into three pods. Two pods contain 34 cells
25 and the third pod contains 32 cells.

26 26. SDCF has 800 general population detainee beds designated for ICE
27 detainee housing.

28

1 27. Based upon the above population statistics, the number of ICE detainee
2 beds available has exceeded the total ICE detainee population from January 27, 2007, to the
3 present date.

4 28. Accordingly, currently no ICE detainees are triple celled.

5 29. Rather, each ICE detainee is assigned to a bunk bed in a cell. Each cell
6 contains two beds, configured bunk bed style.

7 30. Each cell also contains a toilet, sink, desk with stool, and property boxes
8 for detainees to store personal items.

9 31. Occasionally, ICE detainees are assigned to temporary bunks located in the
10 housing unit dayrooms. However, this is a temporary situation, usually not exceeding twenty-
11 four hours, while detainee classification is completed and an appropriate classification housing
12 assignment is made.

13 32. There are no ICE detainees permanently housed in holding cells in the
14 facility's Receiving and Discharge unit. Nor is any ICE detainee housed in the Receiving and
15 Discharge Unit after the initial processing time, which averages twelve hours.

16 33. The ICE detainee population at SDCF is largely transient.

17 34. In January, 2007, the average length of detainee/inmate stay at SDCF was
18 74.12 days.

19 35. In February, 2007, the average length of detainee/inmate stay at SDCF was
20 71.82 days.

21 36. In March, 2007, the average length of detainee/inmate stay at SDCF was
22 85.15 days.

23 37. As of April 25, 2007, the average length of detainee/inmate stay at SDCF
24 was 81.88 days.

25 38. As of April 25, 2007, of the total SDCF population, which includes ICE
26 detainees and United States Marshal Service detainees, only 136 detainees had been assigned to
27 SDCF for 90-180 days; only 85 detainees had been assigned to SDCF for 180 days – 1 year; only
28 29 detainees had been assigned to SDCF for 1-2 years; only 1 detainee had been assigned to

1 SDCF for 2-3 years and only 1 detainee had been assigned to SDCF for 3-5 years. There are no
2 detainees who have been assigned to SDCF for more than 5 years.

3 39. As to length of stay at SDCF, ICE detainees may, at any time, choose to
4 cease objection to deportation proceedings and return to their country of origin.

5 40. ICE detainees are housed in units that include day rooms where detainees
6 are free to move about, watch television and participate in games and recreation activities.

7 41. ICE detainee cells are open from 6:00 a.m. to 11:00 p.m., except for four
8 daily counts which last on average, thirty minutes each. During count times, detainees are
9 required to return to their cells.

10 42. Regular counts are necessary for security accountability.

11 43. Correctional facilities must be able to account for the entirety of the
12 inmate/detainee population at all times to protect the safety and security of not only the detainees
13 and staff, but also the safety and security of the public.

14 44. In addition to open housing units during the hours of 6:00 a.m. to 11:00
15 p.m., ICE detainees are permitted three hours of recreation a day. One hour is mandatory and the
16 remaining two hours are voluntary.

17 45. Since becoming Warden of SDCF in April, 2005, there have been no
18 outbreaks of any communicable diseases including respiratory disease, methicillin resistant
19 staphylococcus aureus (MRSA), multidrug resistant tuberculosis (MDRTB) or other infectious
20 disease.

21 46. Nor have there been any major detainee disturbances.

22 47. The September 2, 2006, disturbance was confined to Unit D. Although the
23 detainees interrupted facility operations by barricading themselves in their housing unit, refusing
24 officer orders and destroying property, necessitating the use of chemical agents to restore
25 discipline, only three inmates complained of injury and these injuries were minor, consisting of
26 complaints of an abrasion, abdominal pain and shortness of breath.

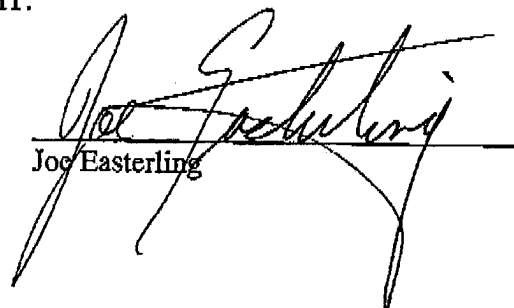
27 48. The detainees were secured in their cells without further resistance after
28 application of chemical agents.

1 49. There were no instances of detainee upon detainee violence during the
2 September 2, 2006, incident.

3 50. During the temporary periods of triple celling that occurred prior to
4 January 27, 2007, there was no calculable rise in detainee violence, exposure to respiratory or
5 other infections or communicable disease, detainee mental health disturbances, facility plumbing
6 or maintenance issues, or other issues negatively affecting the health and safety of ICE detainees.

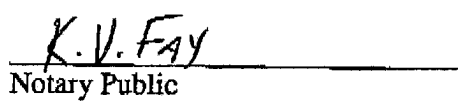
7 51. I have not received any information from ICE that ICE intends to transfer
8 any number of ICE detainees to SDCF that would exceed the present ICE detainee available bed
9 space.

11 FURTHER AFFIANT SAYETH NAUGHT.

12
13 
14 Joe Easterling

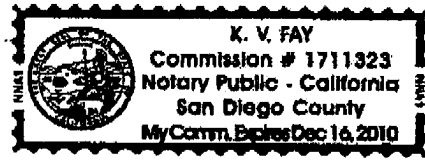
15 County of San Diego)
16 California) ss.
17

18 SUBSCRIBED AND SWORN before me this 4 day of May 2007, by Joe
19 Easterling.

21 
22 Notary Public

23 My Commission Expires: DEC. 16, 2010

25 1771991.1



ATTACHMENT A

20

U.S. Department of Homeland Security
 ORDER TO RELEASE ALIENS
 Page No. _____
 Sheet No. _____

To (Name and Title of Person in Charge of Facility) _____
 Warden: _____
 Name of Facility: CCA
 Please release the aliens listed below
 NOTE: TRANSFER TO JAIL
 Date and Time of Release: 1/27/2007

NAME	A Number	CASE CAT	DOB	Sex	Nationality	G-589	I-77	STATUS
PALAU (O-Runner, Yambi)	98387153	8C	8/18/76	M	Nicaragua			admin fml order
LOPEZ-Sanchez, Daniel	75253658	8C	6/18/84	M	Peru			admin fml order
TANU, Valco	94947685	8G	3/18/72	M	Bulgaria			Exp. Rem. Cred. Fear
JIAN, Chao (hao)	200105839	8G	4/30/67	M	China			Exp. Rem. Cred. Fear
YING, Li Xiu	94942947	8G	2/6/87	F	China			Exp. Rem. Cred. Fear
CHAO, Xiany	98565883	8G	9/28/79	M	China			Exp. Rem. Cred. Fear
LIN, Jian Qing	98565879	8G	1/1/75	M	China			Exp. Rem. Cred. Fear
YIN, Chen Shen	200105809	8G	3/10/66	M	China			Exp. Rem. Cred. Fear
ALIFROM, Wanda	94649241	8G	1/12/80	F	Ethiopia			Exp. Rem. Cred. Fear
DANIEL, Melhane	99627448	8G	4/20/80	M	Ethiopia			Exp. Rem. Cred. Fear
MORALES-Vargas, Joss	70181279	8G	3/21/79	M	Guatemala			Exp. Rem. Cred. Fear
MAJ DONADO-Carpio, Juan	99629441	8G	5/8/77	M	Honduras			Exp. Rem. Cred. Fear
YOUSIF, Ausama	98382180	8G	8/23/78	M	Iraq			Exp. Rem. Cred. Fear

(I) Identify documents reviewed authorizing the above releases i.e. (Bond, I order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Releasing Officer): _____
 Title, Office and Telephone Number: W. Michael Meeker
 Title, Office and Telephone Number: IEA / 7G2074, ODF, (619) 710-8318
 Date: 01/27/07

ORDER TO RELEASE ALIENS

U.S. Department of Homeland Security

Street No. _____

Page No. _____

To (Name and Title of Person in Charge of Facility) _____
 Warden (last first)
 Name of Facility: OCA
 Please release the aliens listed below
 NOELS
 TRANSFER (U.S.I.)
 Date and Time of Release: 1/27/2007

NAME	A Number	Case Cat	DOB	Sex	Nationality	G-589	I-77	Status
WARSAWI, Hirsi	99629947	8G	1/2/85	M	Somalia		1-77	Exp. Rem. Cred Fear
SINGUII-Mata, Antonio	77197200	8A	3/6/85	M	Mexico			Adj. Not commenced
SANK TEL, Victor	91892341	8A	3/18/68	M	Mexico			Adj. Not commenced
RODRIGUEZ-RODRIGUEZ, Gonzalo	94942129	8A	1/10/74	M	Mexico			Adj. Not commenced
LARION-Ornelas, Saul	88171172	8A	11/7/69	M	Mexico			Adj. Not commenced
LOPEZ-Duarte, Cecilia	94951360	8A	10/15/86	F	Mexico			Adj. Not commenced
HENSLEY-Quintero, Jaquelin	27191442	8A	2/9/79	F	Mexico			Adj. Not commenced
CORTIA-Gonzalez, Marik	99633739	8A	5/28/67	F	Mexico			Adj. Not commenced
PEREZ-Rodriguez, Erika	44574960	8A	11/12/80	F	Mexico			Adj. Not commenced
MORUNO-De Smith, Ana	74309543	8A	11/10/65	F	Mexico			Adj. Not commenced
BERNANDINI-Kutz, Arturo	98950401	8A	5/12/70	M	Mexico			Adj. Not commenced
KAMIRI-Lopez, Mayra	94950892	8A	6/29/85	F	Mexico			Adj. Not commenced
CASTRO-Cruzco, J	36484492	8A	10/28/50	M	Mexico			Adj. Not commenced

(1) Identify documents reviewed authorizing the above releases (i.e. Bond, U order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Releasing Officer) _____
 Printed Name and Signature of Officer Directing Action _____

Title, Office and Telephone Number
W. Michael Meeker
IEA / 7G2074, ODF, (619) 710-8318
 Date
01/27/07

ORDER TO RELEASE ALIENS

U.S. Department of Homeland Security

Page No. _____ Sheet No. _____

To (Name and Title of Person in Charge of Facility) _____ Name of Facility _____

Warden Easterting

Please release the aliens listed below

NGIT'S

TRANSFER TO I/LC

CCA

Date and Time of Release
1/27/2007

NAME	A Number	FINS	DOB	Sex	Nationality	G-589	Documentation for Release (1)
GONZALEZ-Torres, Jesus	94945217	8A	7/25/76	M	Somalia		Exp. Rem. Cred Fear
DELAIDO-Flores, Juana	98584979	8A	9/13/74	F	Mexico		Adj. Not commenced
ORTIZ-Luna, Francisco	94945224	8A	1/17/83	M	Mexico		Adj. Not commenced
VALDEZ, Jose Damian	92448721	8A	10/2/85	M	Mexico		Adj. Not commenced
VILLALBA-Carrillo, Gloria	70740768	8A	8/20/68	F	Mexico		Adj. Not commenced
CRUZ-Bautista, Isaac	88241867	8A	5/29/79	M	Mexico		Adj. Not commenced
MARTINEZ-Dominico, Manuel	97813736	8A	5/2/64	M	Mexico		Adj. Not commenced
CARMONA, Eduardo	77983712	8A	3/4/83	M	Mexico		Adj. Not commenced
OCHOA-Fernandez, Jorge	76666710	8A	11/2/79	M	Mexico		Adj. Not commenced
TORRES-Aviles, William	77596032	8A	11/25/80	M	Mexico		Adj. Not commenced
YAGAO, Macjhay	44946445	8A	3/26/88	M	Mexico		Adj. Not commenced
SEOL, Kyunghwan	99631337	8A	8/11/77	M	Mexico		Adj. Not commenced
J.Eh., Seung	99631338	8A	11/26/78	F	Mexico		Adj. Not commenced

(1) Identify documents reviewed authorizing the above releases i.e. (Bond, I order, Order of Recognizance, Order of Supervision, etc.)

Printed Name and Signature of Officer, Sheriff, etc. (Releasing Officer) _____
 W. Michael Meeker

Title, Office and Telephone Number
 IEA / 7G2074, ODF, (619) 710-8318

Date
 01/27/07

U.S. Department of Homeland Security

ORDER TO RELEASE ALIENS

Warden Fawcettling

Page No. _____ Sheet No. _____

To (Name and Title of Person in Charge of Facility) _____
 Warden Fawcettling
 Please release the aliens listed below
 NOTES:
 TRANSFER TO FIC
 Name of Facility: CCA
 Date and Time of Release: 1/27/2007

NAME	A Number	CASE CAT	DOB	Sex	Nationality	G-589	I-77	Status
TORLA, Mithal	94947345	8G	1/21/73	M	Iraq			Exp. Rem. Cred Fear
YOUSUF, Sinan	94948079	8G	6/9/80	M	Iraq			Exp. Rem. Cred Fear
AZIZ-Yousef, Abiesam	94948590	8G	1/4/75	F	Iraq			Exp. Rem. Cred Fear
AZIZ-Yousef, Wafak	94948591	8G	6/19/68	F	Iraq			Exp. Rem. Cred Fear
DELIY, Muna	94949077	8G	2/25/61	F	Iraq			Exp. Rem. Cred Fear
DELIY, Busbra	94949078	8G	1/24/74	F	Iraq			Exp. Rem. Cred Fear
SOMO, Soha	94950236	8G	7/26/78	F	Iraq			Exp. Rem. Cred Fear
PETROU, Arkan	94948968	8G	11/7/83	M	Iraq			Exp. Rem. Cred Fear
KIRYAKOJIN-Savva, Baydoo	94947419	8G	1/15/82	F	Iraq			Exp. Rem. Cred Fear
KIRYAKOJIN-Savva, Saad	94947467	8G	6/30/68	M	Iraq			Exp. Rem. Cred Fear
HANSATK-Khwa, Fivaly	94950110	8G	7/5/72	F	Nicaragua			Exp. Rem. Cred Fear
ILANSATK-Walter, Joel	94950107	8G	3/25/48	M	Nicaragua			Exp. Rem. Cred Fear
AKINYELI, Adieleck	96128657	8G	5/28/77	M	Nigeria			Exp. Rem. Cred Fear

(1) Identify documents reviewed authorizing the above releases i.e. (Bond, U order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Receiving Officer) _____
 Printed Name and Signature of Officer Directing Action
 W. Michael Meeker
 Title, Office and Telephone Number
 IEA / 7G2074, ODF, (819) 710-8318
 Date
 01/27/07

U.S. Department of Homeland Security
ORDER TO RELEASE ALIENS

Sheet No. _____

Page No. _____

To (Name and Title of Prison in Charge of Facility) _____
 Warden (asterisking) _____
 Please release the aliens listed below
 NOTES: _____
 TRANSFER TO F.I.O. _____
 Name of Facility: **CCA**
 Date and Time of Release: **1/27/2007**

NAME	A Number	CASE CAT	DOB	Sex	Nationality	G-589	STATUS
MAKONNEN, Milfion	27332448	3	10/21/80	M	Ethiopia		admin fnl order
TSUJIT, Jagel	46085808	3	11/17/72	M	Ethiopia		admin fnl order
HUSSAIN, Mohammed	24958695	3	10/28/60	M	Fiji		admin fnl order
MAU, Piparua	97890332	3	9/23/79	M	Fiji		admin fnl order
MAXIS, Philip Jacob	24985923	3	9/25/74	M	Haiti		admin fnl order
HUYNH, Linh Ta	25192944	3	5/24/81	M	Hong Kong		admin fnl order
LAI, Baldev	40056287	3	11/20/75	M	India		admin fnl order
WONG, Liak Wic	40387963	3	8/28/73	M	Indonesia		admin fnl order
LATAMIAN, Edgar	74677579	3	8/5/81	M	Iran		admin fnl order
FARAH, Ayazle	71687695	3	1/1/85	M	Iraq		admin fnl order
BRADHURY, Dexter Morton	30721205	3	1/23/62	M	Jamaica		admin fnl order
AL-FARHAT, Faklor	76897069	3	1/1/62	M	Jordan		admin fnl order
OWING, Sylvester	97489354	3	4/5/76	M	Kenya		admin fnl order

(1) Identify documents reviewed authorizing the above releases i.e. (Bond, U order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Receiving Officer) _____
 Printed Name and Signature of Officer Directing Action _____

Title, Office and Telephone Number: **W. Michael Meeker**
 Title, Office and Telephone Number: **IEA / 7G2074, ODF, (619) 710-8318**
 Date: **01/27/07**

U.S. Department of Homeland Security

ORDER TO RELEASE ALIENS

Page No. _____

Sheet No. _____

To (Name and Title of Person in Charge of Facility) _____
 Warden Eastertling
 Please release the aliens listed below
 NOTES
 TRANSFER TO FLO
 Name of Facility: CCA
 Date and Time of Release: 1/27/2007

NAME	A Number	CASE CAT	DOB	Sex	Nationality	G-589	F-77	Status
NGILIKI-Njanga, Fred	98388255	3	10/4/68	M	Kenya			Admin fnl order
KINTI-Wairimu, Isaac	78091772	3	10/25/72	M	Kenya			Admin fnl order
LAKOUT, Ken	25337835	3	10/10/78	M	Laos			Admin fnl order
SATCHIAO, Chiew (Thom)	27308145	3	5/9/78	M	Laos			Admin fnl order
KFOSY, Athit	25035276	3	4/13/69	M	Laos			Admin fnl order
AJKITSANIAN, Kuson	74822431	8C	1/2/63	M	Armenia			Admin fnl order
KARIM, Saïm	92454482	8C	12/1/62	M	Bangladesh			Admin fnl order
ALI-Nesa, Mohammad	98801632	8C	1/1/70	M	Bangladesh			Admin fnl order
CHIN-Baki (Abriel)	94946282	8C	3/24/69	M	Belize			Admin fnl order
LIN, Ting Bin	95687583	8C	12/12/86	M	China			Admin fnl order
MURRILO-Lirrida, David	71645996	8C	7/20/71	M	Colombia			Admin fnl order
ESTIPINAN, Leticia	71645995	8C	2/20/70	M	Colombia			Admin fnl order
SALAZAR-Palacio, Gustavo	71645992	8C	10/3/56	M	Colombia			Admin fnl order

(1) Identify documents reviewed authorizing the above releases i.e. (Band, IJ order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Releasing Officer) _____
 Printed Name and Signature of Officer Directing Action
 W. Michael Meeker
 Title, Office and Telephone Number
 IEA / 7G2074, ODF, (619) 710-8318
 Date
 01/27/07

Form 1-203B (03/01/04)N

U.S. Department of Homeland Security
ORDER TO RELEASE ALIENS

Sheet No. _____

Page No. _____

To (Name and Title of Person in Charge of Facility)
 Warren Fosterling

Name of Facility
 CCA

Please release the aliens listed below

NOTES

TRANSFER TO F.I.O.

Date and Time of Release
 1/27/2007

NAME	A Number	Case Cat	DOB	Sex	Nationality	G-589	I-77	Status
LOPEZ, Fernando	71645984	8C	9/18/75	M	Colombia			Admin fnl order
SOLIS-Ramaza, Jose	71646002	8C	5/17/51	M	Colombia			Admin fnl order
CASTRO-Carbajal, Jose	71646000	8C	6/15/74	M	Colombia			Admin fnl order
RENJICO-Audiver, Manuel	71646001	8C	10/5/69	M	Colombia			Admin fnl order
MARQUEZ, Hugo	71645998	8C	5/31/65	M	Colombia			Admin fnl order
VALLENILLA-Sanchez, Carlos	71645997	8C	2/20/71	M	Colombia			Admin fnl order
SILVEIRA-Periz, Leonard	71645993	8C	5/4/80	M	Colombia			Admin fnl order
BARRIOS-Teller, Angel	22694316	8C	7/18/57	M	Colombia			Admin fnl order
FERRERA-Jaime, Alberto	24436690	8C	10/14/58	M	Cuba			Admin fnl order
RODRIGUEZ-Triana, Jesus	24454562	8C	3/10/57	M	Cuba			Admin fnl order
SMARIEZ-Perez, Jorge	79754378	8C	1/17/73	M	Cuba			Admin fnl order
WILSON-Herrera, Rene	73226102	8C	12/6/61	M	Cuba			Admin fnl order
REYES, Alexander	73967097	8C	6/22/74	M	El Salvador			Admin fnl order

(1) Identify documents reviewed authorizing the above releases i.e. (Bond, U order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Receiving Officer)

Printed Name and Signature of Officer Directing Action

Title, Office and Telephone Number

W. Michael Meeker

Title, Office and Telephone Number

IEA / 7G2074, ODF, (619) 710-8318

Date

01/27/07

U.S. Department of Homeland Security
ORDER TO RELEASE ALIENS
 Sheet No. _____
 Page No. _____

To (Name and Title of Person in Charge of Facility) _____
 Warden (asterisking) _____
 Please release the aliens listed below
 NOTES _____
 TRANSFER TO I-10 _____
 Name of Facility: CCA
 Date and Time of Release: 1/27/2007

NAME	A Number	FINS	DOB	Sex	Nationality	G-588	I-77	Documentation for Release (1)
NOJASCTJ-Mateo, Jesus	77751459	8C	7/18/82	M	Colombia			Admin fnl order
STRAUBER, Wilhelm	27623342	8C	7/12/67	M	Colombia			Admin fnl order
BITTUS, Mojia Assa	28833363	8C	5/27/60	M	Colombia			Admin fnl order
LEJI, Siang Pinow	28525886	8C	10/23/68	M	Colombia			Admin fnl order
LOPERA, Luis	71915317	8C	11/10/67	M	Colombia			Admin fnl order
HERNANDEZ-Hurtado, Apolinar	92860972	8C	1/8/61	M	Colombia			Admin fnl order
LOPEZ-Cornez, Antonio	37806970	8C	10/16/68	M	Colombia			Admin fnl order
PEREA-Jones, Mutillo	90884275	8D	2/27/70	M	Colombia			Admin fnl order
HONSI-GA-Querra, Carlos	74018852	8C	6/18/66	M	Cuba			Admin fnl order
FARIAS-Sanchez, Gonzalo	70708605	8C	2/3/73	M	Cuba			Admin fnl order
ROBLIN-Martinez, Saul	95678304	8C	1/23/82	M	Cuba			Admin fnl order
CIARLA-Morales, Jesus	36893374	8C	8/29/59	M	Cuba			Admin fnl order
TINOCO, Luis Alberto	23729876	8C	6/21/42	M	El Salvador			Admin fnl order

(1) Identify documents reviewed authorizing the above releases i.e. (Bond, IJ order, Order of Recognizance, Order of Supervision, etc.)
 Printed Name and Signature of Officer, Sheriff, etc. (Receiving Officer) _____
 Printed Name and Signature of Officer Directing Action _____

Title, Office and Telephone Number: W. Michael Meeker
 Title, Office and Telephone Number: IEA / 7G2074, ODF, (619) 710-8318
 Date: 01/27/07

ATTACHMENT B

ICE W/60
 Sheet No.

RECORD OF PERSON AND PROPERTY TRANSFERRED

Date of transfer: **Wednesday, January 31, 2007** From: **SND** To: **LAX**

File No.	NAME OF PERSON	Nationality	DOB	SEX	FIN	Status	Money and hard luggage	Checked baggage	baggage check Nos.
94 287 102	CASTRO-de Gualatuma, Any Belinda TIN: CASTRO-Deleon, Any Belinda	Honduras	07/21/76	F	19568188	remove	K/G 213		
73 000 360	GUZMAN-Sanchez, Concepcion	Honduras	12/12/67	F	158089	remove	K/p 201		
77 975 891	FAJARDO-Castro, Consuelo	Honduras	08/20/65	F	13888042	remove	K/G 107		
78 959 188	RAMIREZ-Zanabria, Iris Obdulio	Honduras	11/29/81	F	111333504	remove	C/G 207		
98 384 744	GEORGE-Velasquez, Ramon Alberto	Honduras	05/13/73	M	16718438	remove	K/H 113		
Prepare for travel to home country with all medication(s), property, valuables and money.									
LAX Run per DO Beck (619) 710-8332									
E-ticket set to depart on via TACA Airlines #531 on Friday, 02/01/07 at 0120 (1:20am)									
Have detainee ready for transport NLT 1300									
ICE will transport									

Received the above listed persons, property and baggage checks

Signature: *Julio J. ...*
 Title: IEA

Place and date: ODF 01-31-07

- Show whether depart, removed, etc
 - Show whether criminal, diseased, epileptic, insane, etc, or likely to attempt escape.
 - Show whether alien detained at Service expense immediately prior to transfer.
 - Show whether deportation is to be effected at Service expense or at carrier expense
- Use a separate line for each person transferred.
 This form is to be executed in sufficient number of copies to allow each receiving officer to retain one copy for his personal expense voucher and two additional copies at station of final delivery

Castro