

████████████████████
Capital Area Immigrants' Rights Coalition
1612 K Street N.W.
Washington, D.C. 20006
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DETAINED

Pro bono counsel for Respondent

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
ARLINGTON, VIRGINIA**

In the Matter of:)
)
████████████████████)
Respondent) File No. A ██████████
)
)
In Removal Proceedings)
_____)

Immigration Judge: ██████████ **Next hearing date:** ██████████

**RESPONDENT'S EMERGENCY REQUEST FOR CONTINUANCE OF
TRIAL**

and now, Mr. ██████████ is in an isolation cell with another individual and has not been afforded the opportunity to speak privately.

I. Procedural Background

Mr. ██████████ has been sick since ██████████, 2020. *Id.* On ██████████, 2020, Mr. ██████████'s symptoms worsened. *See* Tab A. On ██████████, 2020, Mr. ██████████ tested positive for COVID-19. He is now suffering from COVID-19 symptoms including fever, sore throat, coughing, aches and pains, diarrhea, and pain in his lungs. *Id.* In his declaration, Mr. ██████████ explains that has not received adequate medical care to alleviate his symptoms to allow him to meaningfully assist undersigned counsel in continuing to prepare his trial. Additionally, based on the fear that Mr. ██████████ explained he is feeling in his declaration, Mr. ██████████ is not in a mental state that would allow him to meaningfully assist undersigned counsel in the preparation of his case.

Mr. ██████████ and undersigned counsel scheduled six private calls on six different days during the weeks of ██████████, and ██████████, 2020. The private calls were for the purpose of preparing Mr. ██████████ for his Individual Hearing on ██████████, 2020. All of the scheduled calls have been cancelled. *See* Tabs A-C. Additionally, on or about ██████████, 2020, Mr. ██████████ was moved into an isolation cell where he has very limited access to use the phone and no privacy. *See* Tab A. Mr. ██████████ requested private attorney calls with undersigned counsel because he does not feel safe discussing the merits of his claim in front of others. *Id.* On ██████████, 2020, through undersigned counsel, Mr. ██████████ submitted to motion for late filing because of his inability to work with undersigned counsel to prepare his filing due to his medical condition. Undersigned counsel filed the motion in good faith, with the hope and expectation that Mr. ██████████'s medical condition would improve so that she could continue working with

him to prepare for his merits hearing. Unfortunately, since that time, Mr. ██████████'s symptoms have not improved and he has since received a positive test for COVID-19.

II. Legal Arguments

A. A Continuance Should Be Granted Pursuant to the COVID-19 Standing Order of the Arlington Immigration Court

In light of the COVID-19 pandemic, this Court has issued a Standing Order providing for special consideration of motions to continue. Specifically, “Motions to Continue hearings due to COVID-19 concerns should be filed within 24 hours prior to the scheduled hearing or as soon as possible and, to the extent practicable, be made to the Court by e-filing.” *Arlington Immigration Court Standing Order* (effective June 10, 2020). This motion is made pursuant to this Standing Order. The reason for this motion is due to concerns regarding COVID-19 that have arisen in the Farmville DF which limit Mr. ██████████'s ability to privately speak with his attorney and because Mr. ██████████ is too ill to assist counsel in the preparation of his case.

B. Good Cause for a Continuance Has Been Shown

The Court may grant a continuance for good cause. *See* 8 CFR § 1003.29. What constitutes “good cause,” however, is not explicitly articulated in the regulations, and “there are no bright lines in rules determining” good cause. Courts generally assess whether to grant a continuance according to four factors: (1) the inconvenience to the Immigration Court; (2) the nature of the evidence to be presented and the importance to the alien’s claim; (3) whether the need for the continuance is based on the reasonable conduct; and (4) the number of prior continuances granted the alien and their duration. *Yi v. INS*, 257 F. Supp. 2d 791, 796 (E.D. Pa. 2003). *See e.g.*, *An Na Peng v. Holder*, 673 F.3d 1248, 1253 (9th Cir. 2012) (reciting same four factors).

Each of these factors favor granting a continuance in this case. First, the inconvenience to the Court is minimal. Indeed, in issuing its Standing Order, the Court anticipated receiving just these

types of requests due to the unprecedented, extraordinary, and unpredictable impact of the COVID-19 pandemic. A brief continuance will permit the Court to proceed expeditiously with this case while at the same time taking into account the changed circumstances that have arisen this week.

Second, Mr. ██████████'s oral testimony is a critical part of the evidence to be presented at trial. INA § 240(c)(4)(B); *see also* 8 CFR § 1208.13(a) (stating that in asylum cases, “[t]he testimony of the applicant, if credible, may be sufficient to sustain the burden of proof without corroboration”). Due to the severity of his symptoms, Mr. ██████████ is too unwell to communicate with undersigned counsel to prepare his case, and more than likely, to be present during the hearing next week.

Third, the need for a continuance is based on Mr. ██████████'s reasonable conduct. Mr. ██████████ is eager for his case to move forward, but is unable to do so because he is so sick. In the past, when private calls are arranged by Farmville Staff, he has cooperated with undersigned counsel in the preparation of his case. Because of COVID-19, the last six private calls have been cancelled, which was made at the determination of Farmville ICA staff. Further, Mr. ██████████'s symptoms have been so severe that he is unable to communicate with counsel about the substance of his case. Therefore, the need for this continuance arises only due to COVID-19, and not through any conduct of his own.

Fourth, if this motion is granted, it will be the first continuance of his individual hearing. Undersigned counsel believes that a **continuance of three weeks** will likely provide sufficient time for any quarantine period to be completed or for other arrangements to be made such that she may adequately prepare for trial with Mr. ██████████. Undersigned counsel made multiple

attempts to contact the Office of Chief Counsel by phone, but was unable to reach anyone from their office to learn of their position on this motion.

III. Conclusion

This motion is not being made in bad faith nor to unduly delay these proceedings. Due to the facts that Mr. [REDACTED] is unable to speak with undersigned counsel in private regarding the merits of his case and that Mr. [REDACTED] is too ill to assist undersigned counsel in the preparation of this case, Mr. [REDACTED] respectfully requests from this Court a three week continuance of his Individual Hearing.

Respectfully submitted this [REDACTED], 2020,

[REDACTED]

Pro bono counsel for Respondent
CAIR Coalition

[REDACTED]

[REDACTED]

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TAB A

Declaration of [REDACTED] A# [REDACTED]

I, [REDACTED], promise that this information is true and correct to the best of my knowledge. I created this statement with the help of my attorney, [REDACTED]. It is as best as I remember:

1. My name is [REDACTED].
2. I am detained in Farmville Detention Facility. I lived in [REDACTED] until [REDACTED] when the staff here at Farmville moved me into isolation.
3. Since [REDACTED], I had a really bad headache and put in a sick request so I could get medical attention. By [REDACTED] my headache got worse and I had a fever, a sore throat, I was coughing a lot, my whole entire body was very sore and achy, and I had the chills. I didn't get attention from the medical staff until the [REDACTED].
4. When I was seen by the medical staff on the [REDACTED] they only took my temperature and gave me Tylenol pills twice a day and a few pills for my cough. Generally, the Tylenol reduces my fever for a few hours but then it shoots back up and all the pains come back again. Since [REDACTED] I have had diarrhea every day. I have pains all over and I can't even keep track of what hurts or why it might hurt anymore. I can't smell or taste anything anymore either.
5. Since the [REDACTED] the medical staff recorded at least two fevers over 100 degrees. I usually am in too much pain to usually remember my temperature when they take it, but my lawyer asks me every day so I try to remember. On about [REDACTED] I had a fever of about 105 degrees. The following [REDACTED] I had a fever of about 102 degrees. Since then, I think my temperature has been about 98 and 99 each time, but I still feel horrible. The medical staff always take my temperature an hour or so after they've given me Tylenol, and I know the medicine brings my fever down. I may not have high fevers, but I still have

diarrhea every single day, I always feel like I will vomit, I have a constant cough, my back hurts where my lungs are, I have trouble breathing, and I am so incredibly weak.

6. The officials here kept telling us for a while that they were going to give us a COVID test, but they didn't for a long time. When I started feeling poorly, I had been in the dorm with 40 or 50 other people, nearly all of whom were sick, for about six days.
7. When Farmville staff moved me into isolation, I wasn't even truly isolated. They put me in a room with another man who was much sicker than I was. He coughed much more than I did and didn't cover his mouth. I felt so scared because I just kept telling myself I was not infected with the virus. I just hoped this was a really bad cold that would go away. The day I was moved into the isolation cell with my roommate, I still hadn't been tested. I asked the officer to move me back to the dorm. The guard said that the doctor wouldn't allow me to go back to my dorm until I got a COVID test result, but they didn't even give me the test for two more days. I finally got the COVID test on [REDACTED] and was told I needed to wait for 3-5 days for the results.
8. While I was in my isolation cell, throughout the night my cellmate coughed so much that I thought his soul was going to leave him. He was also wheezing a lot. He was so sick and felt so horrible that he would sometimes cry throughout the night, because of this neither of us could sleep. Hearing him struggle to breathe, sometimes I thought he was about to die. This made me very nervous and made me want to go back to the dorm even more because I was scared.
9. I told my lawyer that I didn't feel comfortable being with my roommate because of how sick he was, but the guards would not let me go back to the dorm. For his symptoms, they

only gave him the same things that they gave me, Tylenol and two blue pills for our cough. The pills didn't do anything for him. It seemed like he was getting worse.

10. There were a couple of times where I didn't feel like I was getting enough air in my lungs and that scares me. In those moments, I tried to breathe through my mouth too but it still isn't enough.
11. On [REDACTED] my roommate was taken to the hospital in the middle of the night. On June 30, I also got my COVID test result. It was positive. While I've been in this isolation area, I was afraid to have my clothes washed because even though I was around so many sick people. Even though I had symptoms of COVID, I still had hope that I didn't contract the virus. Now that I know I'm positive, I guess I can send my clothes to get washed.
12. Based on what the guards told me, this means I have to stay here in this cell. I told them I want go to the hospital if my result was positive but they said no. They said that they are monitoring me and I don't need to go to the hospital.
13. The fact that they don't want to take me to the hospital makes me so scared. They take my pressure and my temperature, then if both are normal, they just dismiss me and say I am fine. I know I am not okay. I am very sick. Since [REDACTED], they only give me medicine and check on me once a day now. Except for the fever, I still have all of my symptoms, diarrhea, back pain where my lungs are, stomach problems, a consistent cough, and extreme weakness and pains all over my body.
14. I am really miserable and desperate for medical attention that is more than Tylenol and blue pills. For maybe two days, they also gave me a café colored pill, but I don't know what it was for and they stopped giving it to me and all my symptoms are still here. Even for my

diarrhea, they only gave me Gatorade about twice because they thought I was dehydrated. I still have diarrhea but they aren't bringing me Gatorade anymore.

15. This isolation cell is far worse than the dorm. It feels like all the people here in these isolation cells, no one really cares about us. Last night while I was in bed sleeping, at some point I felt like I couldn't breathe for about an hour. I felt like I wasn't getting enough air in my lungs and I panicked. I got up and begged the guard to come to help me. I screamed for help and I banged on the window for help. I kept asking someone to help me for about ten minutes until I was physically exhausted and I had to sit down. I couldn't breathe so screaming for help made it worse.
16. No one ever came to help me in the middle of the night. Aside from not caring to check on us, communication in general is almost impossible with the guards. I couldn't even tell the guard who brought me my medicine in the morning what happened last night because he doesn't speak Spanish and couldn't understand me. I've tried to ask them to tell me what medicine they have been giving me, or to tell my lawyer but they don't understand.
17. I don't know how I am supposed to get better while being in this cell. I am not isolated, and I have been with other really sick people. The cell I am in right now is so small; there is nothing but a toilet, beds, and a sink in this room. There is not even a clock so I never even know what time it is. The toilet is next to where I am supposed to eat; there are waves of dust blown into my cell through the vents. No one has given me soap to even wash my hands; and I haven't had a shower in four days. This feels like some kind of punishment, but the only reason I am here is because I am sick. I can't get healthy when I'm here.

18. All of this has been hard on me physically and emotionally. I've put in sick requests so I can get more fruit because I can't keep down the food I am being fed. I feel like I'm going to vomit whenever I eat. In response to my sick request, one guard brought me one extra apple the day I put in the request, that's it. Since that one time, they haven't made an effort to give me more fruit or other easily digestible foods. I've lost around fifty pounds since I got sick. And that's one of the reasons I feel so weak aside from the other symptoms of COVID.
19. I know myself, I know my body, and I feel very unwell and I am scared. I put in a sick request to talk to a psychologist on the [REDACTED] but I still haven't talked to a psychologist yet. I honestly feel hopeless. I'm physically weak and I feel hopeless.
20. On top of all the things I'm physically going through and the fear I feel because of my health, I am so worried about my court case. While I was still in the dorm, I was supposed to have private calls with my attorney to prepare for my trial but the guards never called me for my private calls during the week of the [REDACTED] My attorney told me that the calls were all cancelled by the guards. I think my calls were cancelled because the guards knew how sick I was.
21. Since I have been in the isolation cell, it has been even harder to talk to my lawyer. I asked the guards if I could call my attorney when they first moved me into the isolation cell. I had to argue with them to let me call her because they said they only had one phone in the area. In the dorm they had phones near the beds that everyone could use pretty freely. Here in this cell, with only one phone for this whole zone, it is difficult to get permission to make calls because the guards have to bring it to me.

22. I asked my attorney for the private calls because I don't feel safe talking about my asylum claim around the other people. In this isolation cell my roommate is right behind me in this very small space whenever I make a call. My first roommate was taken to the hospital, but they moved another sick person into my cell the next day. There is no way to make sure that no one can hear what I am saying.
23. When my attorney talks to me, I can barely talk to her because of how weak I feel and how much energy it takes. And she asks me to call her in the evenings to check on me and give me updates about what she is going in my case but I can't usually call her because of the pain I feel in my back near my lungs when I move and cough. Everything takes so much energy from me.
24. Since I've been sick, I haven't been able to talk to my attorneys about my case because of how much I have been suffering, because the guards won't let me have my private calls, and now also because I am in isolation and they don't have phones in this area that are easy use when we need them.
25. I ask you to please let me out of this situation so I can go to the hospital or go get taken care of by my dad and my aunt. Being here is not helping my health. I am so desperate to get help right now because of how I feel physically and emotionally. I feel hopeless about my situation and physically I am so weak. Honestly, I'm scared and I don't know what's going to happen to me but I don't want to die this way.

I affirm that I read the aforementioned declaration to the Respondent in Spanish, a language in which I am competent, and that the Respondent understands best. I further affirm that this declaration was orally ratified by the Respondent, [REDACTED] on [REDACTED] 2020, [REDACTED]

Name: [REDACTED]
CAIR Coalition, 1612 K St. N.W.
Washington, D.C. 20006
[REDACTED]



TAB B

DECLARATION OF [REDACTED]

I, [REDACTED], make the following declaration based on my personal knowledge and declare under the penalty of perjury that the following is true and correct.

1. I am Deputy Director of the Capital Area Immigrants' Rights (CAIR) Coalition's Detained Adult Program. In that capacity, I supervise staff who provide and manage direct representation and Legal Orientation Program services for people detained in ICE custody in Maryland and Virginia, including at the ICA-Farmville Detention Center.
2. In the course of providing competent and zealous legal representation, our staff and external partners, such as law school clinics and pro bono firms, must have access to strictly confidential spaces to discuss their clients' histories and legal cases. During the COVID-19 pandemic, we are unable to have these conversations in-person at the detention centers; CAIR Coalition has prohibited in-person facility visits to protect the safety of our staff, their families, and the persons detained and working at the detention center.
3. Our attorneys and external partners must instead rely on phone access for these confidential conversations. The ICA-Farmville Detention Center is not equipped to facilitate confidential videoconferencing for attorney/client meetings. Unfortunately, we cannot rely wholly on the phones accessible to detained persons inside their dormitories at the ICA-Farmville Detention Center because other persons detained with our clients in the dorms and/or guards in the unit can frequently overhear these conversations.
4. The risk to our clients when attempting confidential disclosures to their attorneys over dormitory phones is real and ever-present in the minds of clients when they have no option but to speak to us over dormitory phones, based on what clients have shared with me and others I work with. I personally have represented multiple clients who expressed fear of threats and physical harm from other persons detained with them in their unit if they spoke about certain topics critical to their legal claims over the dormitory phones. So far during the pandemic, at least one legal team I supervise has had a client suffer physical harm at the hands of other persons in his unit who overheard disclosures he made to our legal staff.
5. While the detention center does not have any private rooms devoted solely to attorney/client calls, the facility recognizes the need for such spaces and so has generally allowed requests for legal calls during times that their existing private phone rooms are not in use by government agencies or other entities. Our continued access to these spaces depends on our ability to submit such requests in an organized manner in compliance with facility instructions.
6. Internally, designated CAIR Coalition staff compile and send over to the facility private call requests from our direct representation program staff and external partners each week. In order to ensure adequate time to organize these requests for submission, ensure equitable access and prioritization, and resolve any conflicts, we require that all staff (and external partners) submit these call requests to the designated CAIR Coalition staff persons via a shared Microsoft Excel spreadsheet by 12 noon Friday for calls taking

place the following week. Even after calls are scheduled, they are subject to cancellation at any time by the detention facility.

7. During the week beginning Monday, June 22, 2020, this system of private calls outside of the dormitories has been severely disrupted due to COVID-19. While various dormitories have been on quarantine (or ‘cohorting’) at different points during the pandemic, restrictions on the ability of persons to leave their housing units, including for pre-scheduled private calls, have dramatically increased this week.
8. This increase corresponds with the significant rise in COVID-19 cases at Farmville: following the transfer of persons to the facility from other ICE facilities with larger COVID-19 outbreaks earlier this month, ICE’s official count of positive COVID-19 cases after testing rose from 11 on June 16th to 48 on June 24, 2020. Our understanding is that this count is likely to rise further as testing is conducted of the many individuals, including CAIR Coalition clients, who are now reporting some form of COVID-19 symptoms, including fevers, body aches, coughing, sore throat, diarrhea, and vomiting, or have otherwise been exposed to others who tested positive.
9. A significant number of private calls are now cancelled with little to no notice as guards are not escorting individuals out of housing units on various forms of lockdowns. Our staff first began reporting this to me on Tuesday, June 23, 2020. It is impossible for our staff to reliably plan ahead and around quarantines because we do not know which dormitories will be on lockdown each day and, based on the information our teams have received from the facility, it appears that this can in fact change at a fast pace within the facility on a given day. We anticipate additional private call cancellations for any clients taken out of the dormitories and placed in solitary or group medical isolation cells. Already this week, at least one CAIR Coalition client in need of private space for case preparation calls with his attorney was removed to medical isolation on Thursday, June 25th. Attorneys with cancelled private calls this week included those relying on these calls in order to prepare their clients for upcoming trials and other contested hearings.
10. The facility has directed our clients to call their attorneys from their dormitory phones at the scheduled time instead. While we appreciate this move from the facility, as stated above, we are extremely limited in our ability to provide competent and ethical representation to our clients relying solely on these calls because other detained people and guards can readily overhear conversations.
11. Additional limitations to these calls include the following:
 - a. **Automatic cutoff times for calls:** These were very recently raised to 30 minutes for calls coming in to our LOP team and others through the CAIR Coalition hotline, but most direct representation attorneys instruct their clients to contact them at their direct lines, as calls to our volunteer-staffed hotline are much more easily dropped during transfer or otherwise and unavailable outside of regular business hours when attorneys frequently need to speak to their clients. These calls to direct lines are automatically cut off after approximately 15 minutes. Calls are also automatically cut off for regular count times throughout the day.

b. **Difficulty receiving messages and placing calls through dormitory phones:** Messages to call their attorney are at times not successfully delivered to our detained clients, depending on communication with and from the dorm officer on duty in the person's housing unit. Several of our staff and outside attorneys our organization is in contact with have reported an increase in this problem this week. In my experience, this is typical of any time the facility is experiencing events, such as the present escalating COVID-19 outbreak, that draw priority for facility staff time. This differs from when a person is physically escorted to another room for a private call; facility staff do not ordinarily assist our clients in placing the call to their attorney on the dormitory phones other than to tell the person to call. Many of our clients, who tend to belong to the most vulnerable populations at the jail, struggle to understand these messages and navigate the dormitory phones. This is especially true for our National Qualified Representative Program clients. While we can sometimes follow up with facility operations staff to intervene to help our most vulnerable clients make calls, this is not always successful.

c. **Prohibitions on dormitory phone calls:** This week, clients began to report alarming dormitory-wide prohibitions on outside calls. While I have experienced similar restrictions imposed upon single individuals in segregated housing units under various forms of punishment in the past, this is the first time in six years providing legal services to persons detained at Farmville that I have heard reports of this happening dormitory-wide. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

I have also heard reports on call restrictions in housing units from private bar attorneys in touch with our organization. Based our understanding of the current conditions at the facility from client reports and other sources, our team is preparing for such difficulties to continue.

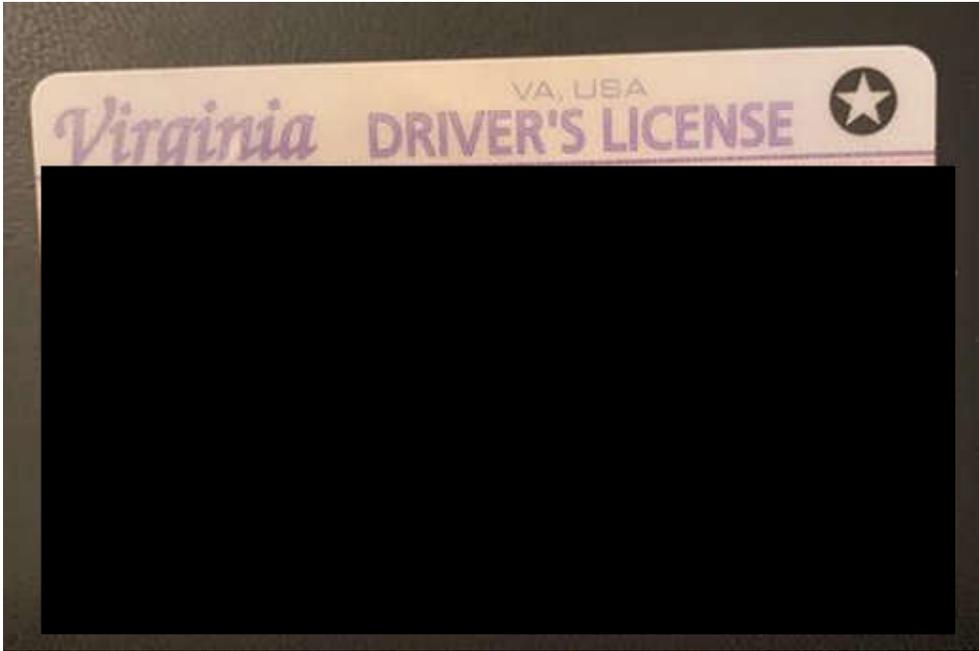
- d. Limited or no access to phones while in medical isolation cells:** Our clients struggle to access any phones at all, even the equivalent of dormitory phones in non-private spaces, while held in medical isolations cells. To my knowledge, medical isolation rooms are not equipped with any phones inside the cell that the detained person can access to call counsel when needed during regular phone hours but must rely on guards to open up their cells to facilitate calls. For example, on Thursday, June 25, 2020, a staff attorney checked in with me after she learned that her client had not been contacting her to work on his case because he was moved from his dormitory to a medical isolation cell. He

reported to her that he struggled to get permission from guards to use the phone to call her. Initially, a guard had told him that they did not have a phone in that area in the facility. The client ultimately has been able to speak with his attorney since moving into the isolation cell, but he reports often not being able to call back at the times requested by his attorney and that he experiences the issues explained above such as shortened call times and lack of privacy in the cell.

Executed this [REDACTED], 2020 in Alexandria, VA.

_____ [REDACTED]

*Please accept this electronic signature and copy of my photo ID in lieu of a wet signature as we work from home during the COVID-19 pandemic.



TAB C

Lorna Julien

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A# [REDACTED]

Hi [REDACTED]

I just wanted to let you know that your concerns have been forwarded to ICA Farmville medical to ensure appropriate medical attention is addressed. ICA Farmville is in the process of testing all detainees for COVID-19 at the facility. I have asked ICA Farmville to provide date when Mr. [REDACTED] will be tested. If Mr. [REDACTED] continues to experience symptoms he needs to report that to ICA medical staff.

Thank you

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
[REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A# [REDACTED]

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact [ICE SOC SPAM](#) with questions or concerns.

Good morning,

At approximately 10:30 am, I spoke with Mr. [REDACTED] [REDACTED]. He informed me that he is still in the isolation area. He let me know that the guards did bring him his belongings. I am very grateful to hear that.

However, Mr. [REDACTED] informed me that at 4am medical staff took his temperature and he had a fever of 104.95 degrees. He was not taken to the hospital at that time, but instead was given four pills - two acetaminophen pills and two other blue pills that he believes are to calm his coughing.

At 6am, medical staff again checked Mr. [REDACTED]'s temperature and blood pressure. His temperature dropped to approximately 98 degrees. He has not received a visit since that time.

As of 10:30 am today, Mr. [REDACTED] had not been visited by medical staff in over four hours, and has not yet received a COVID test. I want to ensure that he is given appropriate medical attention, as I am very concerned about his safety.

For the purposes of efficiency, I have copied Farmville Ops staff, to ensure that Mr. [REDACTED] is given prompt medical attention. **I ask that a medical professional check on him as soon as possible, and that he be prioritized for a COVID-19 test.**

Thank you,

[REDACTED]

[REDACTED]

[REDACTED]

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From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A#[REDACTED]
Importance: High

Good morning, Officer [REDACTED],

I am writing in regards to [REDACTED] [REDACTED]. **I received a call from him last night saying that he was moved into an isolation cell with one other person.** He was taken from his dorm, [REDACTED], without any of his belongings.

I am very concerned about Mr. [REDACTED]'s health. I have been checking in with him regularly since he first shared that he was experiencing COVID symptoms earlier this week. **Last night, he called me to share that his medical symptoms are not getting better,** and that the only treatment he has received is Tylenol and another pill to suppress his cough. He also indicated that he has **not** yet received a COVID test, which is concerning given his symptoms.

I am trying to understand why Mr. [REDACTED] has been moved to an isolation cell if his medical treatment is not changing. If he has been moved to an isolation cell for medical reasons, **why were none of his belongings brought with him?** This is understandably causing him additional stress.

I am incredibly concerned for the health of my client, and I want to ensure that he is receiving proper medical treatment. I recognize you are not located on site in Farmville, but **anything you can do to ensure that he is receiving proper medical treatment would be greatly appreciated.**

As is evident below, SDDO [REDACTED] shared with me earlier in the week that every person detained in Farmville would receive COVID testing this week. **If it is possible to ensure that Mr. [REDACTED] is prioritized for a COVID test,** I would appreciate that. Mr. [REDACTED] has an individual merits hearing (essentially the 'trial' in his immigration case) scheduled for [REDACTED] and I have been unable to prepare for his case because of his deteriorating medical condition. It

would be helpful to know whether his medical condition is in fact COVID, or something else, so that I can better anticipate whether we can proceed in his merits on [REDACTED] or if I will need to ask to postpone is trial date.

If you would like to discuss further, please do not hesitate to contact me.

Thank you,

[REDACTED]

[REDACTED]

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From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A#[REDACTED]

No worries. Thank you very much for looking into this and being so responsive to the concerns of Mr. [REDACTED] and I. I hope you all have a good and safe rest of your day.

[REDACTED]

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A#[REDACTED]

Hello [REDACTED]
Apologies! Forgot to address that inquiry. No bond has been issued for Mr. [REDACTED] by our office. Unclear where his father may have gotten that information.
Take care,
[REDACTED]

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A#[REDACTED]

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Good afternoon,

Thank you for your response. That is helpful information. I will do my best to keep in contact with my client to stay updated, but if there are any updates regarding my client on your end, would you all please keep me informed?

My other concern was whether Officer [REDACTED] had reached out to Mr. [REDACTED]'s father regarding an ICE Bond this afternoon. Please let me know.

Thank you,
[REDACTED]

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: URGENT: Medical Concerns of Mr. [REDACTED] A#[REDACTED]

[EXTERNAL EMAIL] This message is from an EXTERNAL source. Please do not click on any links or open any attachments associated with this email unless it comes from a trusted source AND you were expecting to receive this information.

Good Afternoon [REDACTED],
We have forwarded the below to ICA Farmville medical to ensure his concerns and a medical evaluation is addressed. For your situational awareness, all detainees at ICA Farmville will be tested this week for COVID 19. It is also our understanding any detainee reporting or displaying possible symptoms for the virus are being monitored closely. Please continue to remind Mr. [REDACTED] to work with ICA Farmville staff and report any concerns and medical issues.
Take care,
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: URGENT: Medical Concerns of Mr. [REDACTED] A# [REDACTED]
Importance: High

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Contact [ICE SOC SPAM](#) with questions or concerns.

Good afternoon,

I am the attorney for Farmville detainee [REDACTED], A# [REDACTED]. Please see the G-28 attached for reference. **I had a private call scheduled with Mr. [REDACTED] today but I learned only a few moments before the call that the private call was cancelled.** My client called me from the dorm and told me that his dorm, [REDACTED], is currently under quarantine and the individuals of that dorm may not leave to go to other areas in the facility.

The purpose of this email is to raise my concerns about my client's health and safety at this time, as he has shared with me that he has COVID-19 symptoms.

I am very concerned for my client's safety at this time because from the moment I heard his voice during our call at 1:30pm today, he sounded very unwell. He was coughing and sneezing throughout the duration of the thirty minute call. My client let me know that he has a sore throat, body aches, and chills. He believes he has a fever, but has not yet had his fever checked by anyone at the facility.

Mr. [REDACTED] told me that someone was supposed to come to his dorm to give take his and other detainees' temperature, but he has not yet been checked as of 2pm today. I asked if he had submitted a sick call request, and he said that he has been afraid to do so because he's afraid of contamination in the medical unit. He also was concerned because the last time he submitted a sick request (which was about 2 weeks ago), it took several days to receive a response from medical staff. Now that Mr. [REDACTED] is exhibiting what the CDC has defined as COVID-19 symptoms, I want to make sure that Mr. [REDACTED] will receive adequate and very prompt care in light of the fact that he is still in the general population of his dorm room and he is exhibiting COVID-19 symptoms. After speaking with him today, he is going to submit a sick call request this afternoon.

Would you please let me know what steps are being taken to ensure that my client's healthcare is being adequately addressed?

In addition, at approximately 2:45 pm, I received a call from Mr. [REDACTED]'s father. Mr. [REDACTED]'s father received a call from someone claiming to be Mr. [REDACTED]'s deportation officer and indicating that Mr. [REDACTED] had been granted an ICE bond. Would you confirm if this is true?

I look forward to hearing from you soon.

Thank you,

[REDACTED]

**United States Department of Justice
Executive Office for Immigration Review
Immigration Court
Arlington, Virginia**

In the Matter of: [REDACTED], [REDACTED]

Alien Number: [REDACTED]

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the RESPONDENT’S EMERGENCY REQUEST FOR CONTINUANCE OF INDIVIDUAL HEARING DUE TO COVID-19, it is HEREBY ORDERED that the motion be GRANTED DENIED because:

- DHS does not oppose the motion.
- The respondent does not oppose the motion.
- A response to the motion has not been filed with the court.
- Good cause has been established for the motion.
- The court agrees with the reasons stated in the opposition to the motion.
- The motion is untimely per _____.
- Other:

Deadlines:

- The application(s) for relief must be filed by _____.
- The respondent must comply with DHS biometrics instructions by _____.

Date

Immigration Judge

Certificate of Service

This document was served by: Mail Personal Service
To: Alien Alien c/o Custodial Officer Alien’s Atty/Rep DHS
Date: _____ By: Court Staff _____

**United States Department of Justice
Executive Office for Immigration Review
Immigration Court
Arlington, Virginia**

In the Matter of: [REDACTED], [REDACTED]

Alien Number: [REDACTED]

ORDER OF THE IMMIGRATION JUDGE

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Immigration Judge

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**United States Department of Justice
Executive Office for Immigration Review
Immigration Court
Arlington, Virginia**

In the Matter of: [REDACTED], [REDACTED]

Alien Number: [REDACTED]

ORDER OF THE IMMIGRATION JUDGE

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