

2. At ██████'s first Master Calendar Hearing in the Arlington Immigration Court on ██████ 2019, he represented himself *pro se*. At that time, Immigration Judge ██████ (“IJ ██████”) noted that he displayed indicia of incompetence, such that it gave her a bona fide doubt as to ██████'s ability to represent himself. Pursuant to this finding of indicia, IJ ██████ requested the Department of Homeland Security (“DHS”) to secure and submit his medical records to the Court, and she scheduled ██████ for a Competency Hearing.
3. On approximately ██████, 2020, IJ ██████ held a Competency Hearing and found ██████ incompetent to represent himself, and – as a safeguard – appointed undersigned counsel to serve as ██████'s Qualified Representative. On ██████, 2020 undersigned counsel entered her appearance before the Court.
4. On ██████, 2020 QR submitted an I-589 Application for Asylum and for Withholding of Removal, and Withholding of Removal under the Convention Against Torture. The instant individual hearing concerns this relief.
5. On ██████ 2020 QR moved the Court to grant bond. Immigration Judge ██████ granted ██████ a bond in the amount of \$1500, finding that he was statutorily eligible for bond, was not a flight risk, and did not present a danger to the community.
6. On ██████, 2020, the Office of Chief Counsel of the Department of Homeland Security (“OCC”) placed an automatic stay on this bond, and so ██████ was not released. This matter is currently on appeal.
7. On ██████, 2020 ██████ appeared before Immigration Judge ██████ for his individual hearing on his Asylum, Withholding of Removal, and Convention Against Torture claims. He was represented by undersigned QR and co-counsel ██████, appearing in person, and OCC was represented by Assistant Chief Counsel (ACC) ██████ appearing telephonically.
8. Specifically, all of the regular telephones of the Arlington Immigration Court were out of service, for both incoming and outgoing calls, during both morning and afternoon hearings. There was no alternative conference call system set up. The hearing initially proceeded using the Immigration Judge's personal cell phone. Despite concerns about proceeding on such a sensitive hearing over an unsecured line, undersigned QR deferred to the court's ruling on moving forward as described, in an effort to keep proceedings moving swiftly.
9. In addition to the telephone malfunction, there was also a faulty connection via Video Teleconferencing (“VTC”) between Krome and the Arlington Immigration Court, such that there were regular interruptions in the transmission. At times, the feed cut out and the

video image was frozen or pixels appeared, indicating the inconsistent quality of the connection.

10. During ██████'s testimony, ACC ██████ informed the Court that he could not clearly understand the respondent's testimony and requested a continuance. QR was able to both hear and see ██████, and was able to understand his testimony. QR objected on the grounds that this continuance would prejudice her client. The hearing was reset to ██████ 2020. Mr. ██████ indicated that he would seek permission from OCC to appear in person as an additional safeguard to ensure that the hearing could go forward that day.

II. ██████'s Mental Health

11. Since first arriving into the custody of ICE on ██████, 2019, and as reflected in previous filings before this Court, ██████ has consistently sought mental health treatment; in particular, mental health counseling and prescription medication treatment to deal with his paranoid schizophrenia, post-traumatic stress disorder, and severe anxiety disorder. He has also continued to request adequate medical and dental care. He has had significant dental complications while in custody, and he also has had several medical needs.
12. In ██████ 2020, while detained at Farmville, referral requests were made for ██████ to be transferred to either Columbia Care in South Carolina or the Krome Behavioral Health Unit in Florida, both of which are ICE detention centers with specialized mental health care. ██████ continued to seek placement at a mental health unit, regularly following up with Farmville staff. On ██████ 2020 he was transferred to the Krome Behavioral Health Unit, in accordance with his wishes.

III. Events Beginning ██████ 2020 Related to COVID-19 and the Transfer

13. Beginning ██████ 2020, QR has encountered extraordinary circumstances impacting her ability to communicate with her clients at multiple facilities and to advocate for their well-being in light of the COVID-19. In particular, all of QR's clients detained at the Farmville Detention Center are reporting symptoms of COVID-19 infection to her. They are reporting that they have not received adequate treatment for their symptoms, which include high temperature, coughing, sore throat, fluid in the lungs, and extreme fatigue.
14. The most recent ICE statistics show 49 cases currently under isolation or monitoring at Farmville. *ICE Guidance on COVID-19, ICE Detainee Statistics Tab*, available at <https://www.ice.gov/coronavirus> (last accessed July 2, 2020). This is up from 11 cases as

of June 16. *Id.*, archived at <https://web.archive.org/web/20200617094735/https://www.ice.gov/coronavirus>.

15. Several independent news story document the alarming situation at Farmville. See attached exhibits, Tabs A and B, Priscilla Alvarez, CNN.com, *Immigrant detainees describe deteriorating conditions as coronavirus spreads in facilities*, available at <https://www.cnn.com/2020/06/27/politics/ice-custody-coronavirus/index.html> (June 27, 2020); Jenny Gathright, DCist.com, *After Transfers From Coronavirus Hotspots, Cases Spike At Farmville ICE Detention Facility*, available at <https://dcist.com/story/20/06/29/covid19-outbreak-farmville-detention-va-ice/> (June 29, 2020).
16. On [REDACTED], 2020 at approximately [REDACTED] QR spoke with [REDACTED] during a regularly scheduled private and confidential call at Krome in anticipation of his upcoming hearing. He informed her that he had been removed from the Krome Behavioral Health Unit against his will. He informed her that he was scheduled to be returned to the Farmville Detention Center in the next several days.
17. At this time, QR is seeking more information as to why [REDACTED] was removed from this program. He has informed QR that he was removed from the anti-psychotic medications he had been on, although he remained on anti-anxiety medication. He had been experiencing serious side-effects with the particular antipsychotic medication he was on, and so he wanted to find one which worked for him. In fact, a large part of why he wanted to be transferred to a behavioral health unit was because it would have the capacity to develop an appropriate medication regimen for his complex conditions.
18. [REDACTED] also reported that he was experiencing severe dental pain and bone pain due to other underlying conditions. Prior to transfer to Krome, he had been on antibiotics to control a potentially serious tooth infection. He also was experiencing bone and body pain, which he believed was significantly aggravated by the extremely cold temperatures at Krome. He stated that when he raised these issues with Krome personnel, he was told that dental care wasn't available for him at the facility and that if he wanted dental care, he would need to go back to Virginia. He believed he was being pressured to decide between getting critical mental health care or getting critical medical health care.
19. On [REDACTED], 2020 at approximately [REDACTED] QR emailed ICE ERO officials overseeing Krome urgently requesting that [REDACTED] remain at Krome due to both concerns regarding 1) COVID-19 in Virginia facilities and 2) how a transfer would impact the ability for the final individual hearing to go forward on [REDACTED], 2020.
20. Despite raising up the appropriate chain of command, QR received no specific response from ICE ERO until [REDACTED] This email simply informed QR that [REDACTED] was now at the Caroline Detention Facility.

21. From [REDACTED] 2020 QR has been requesting [REDACTED] call her at least twice a day to check in, although from telephone lines that are presumably not private or confidential. This is because of her extreme concern for his mental health, as he has reported severely worsening mental health symptoms, including hallucinations, paranoia, and confusion. In her conversations with him, she has noted significant changes in his tone of voice and ability to follow conversations as compared to prior to his discharge from the Krome Behavioral Health Unit.
22. On [REDACTED] 2020 at [REDACTED] in the context of general communication with Mr. [REDACTED], who will be representing the Department on [REDACTED] 2020, Mr. [REDACTED] informed QR that [REDACTED] would be transferred to Caroline Detention Center. This was the first indication that [REDACTED] would be transferred to a facility other than Farmville.
23. At about [REDACTED] 2020 QR received a call from [REDACTED] at the Caroline Detention Center, but the call was dropped before she was able to speak with him.
24. At about [REDACTED] today, [REDACTED] QR spoke briefly with [REDACTED] who informed her that he was at Caroline and that after 24 hours in initial segregation, he would be put into a 14-day quarantine due to COVID-19 concerns.
25. During the week before trial, undersigned QR typically spends several hours in private conversation with clients in preparation for trial. This is consistent with the general practice of attorneys in the NQRP Unit because of the heightened concerns that are present when working with individuals who have been found incompetent under *Matter of M-A-M-*, 25 I&N 474 (BIA 2011).
26. Due to the circumstances of this past week, and his entering quarantine on a holiday weekend before his hearing on [REDACTED] it will not be possible for QR to adequately prepare him for trial.

IV. LEGAL ARGUMENT

A. Good Cause for a Continuance Has Been Shown

27. 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).

28. Each of these factors favor granting a continuance in this case. Most importantly, the need for a continuance is based on ██████'s reasonable conduct. The need for a continuance is solely due to the action taken by DHS to effect this transfer at the height of an unprecedented global pandemic, explicitly disregarding the advance warning by QR that that this transfer would likely interfere with ██████'s ability to appear for trial on ██████ 2020.
29. Additionally, this is the first continuance that ██████ is requesting at the individual hearing stage. The prior continuance was granted at the request of DHS and over QR's objection due to problems with the VTC system at ICE's Krome facility which made it difficult for OCC to understand ██████'s testimony when OCC was not in the courtroom.
30. Next, based on communication with OCC, all issues in the underlying request for relief remain contested, suggesting that full testimony will be required.. Therefore, it is not possible to proceed with the trial without ██████'s full preparation, participation and presence, which is impossible in the circumstances.
31. It is true that there is some inconvenience to the Immigration Court. However, balanced by all other factors, and especially in light of the unprecedented nature of how COVID-19 is impacting all aspects of society at this time, a continuance is warranted. Specifically, this Court has issued a Standing Order providing for special consideration of motions to continue, while recognizing that some inconvenience will occur. 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). In particular, the prejudice to the respondent based on his recent lack of medical care, upheaval, and now isolation outweighs the inconvenience to the court.

B. A Continuance Should Alternatively Be Granted as a Safeguard

32. In the alternative, ██████ should be granted a continuance in this case as a safeguard against his incompetence, pursuant to *Matter of M-A-M-*, 25 I&N 474 (BIA 2011).
33. Where an Immigration Judge has determined that a respondent lacks sufficient competency to proceed with the hearing, the statute provides that the Immigration Judge "shall prescribe safeguards to protect the rights and privileges of the alien." 25 I&N at

481. There are a number of safeguards available to Immigration Judges, including, in relevant part, a continuance of the case for good cause shown. *Id.* at 483. Immigration Judges should evaluate the particular circumstances of the case to determine which safeguards are appropriate. *Id.* at 481-82.

34. The particular circumstances of this case show that the Individual Hearing should be continued because doing so is an appropriate and proportional modification for the purpose of ensuring that [REDACTED]'s rights and privileges are protected.

Respectfully submitted this [REDACTED] 2020,

[REDACTED]

Qualified Representative for Respondent

A

Immigrant detainees describe deteriorating conditions as coronavirus spreads in facilities



By [Priscilla Alvarez](#), CNN

Updated 11:44 AM ET, Sat June 27, 2020

CNN politics

LIVE TV



Detainees lay on their bunks in their pod at the Stewart Detention Center in Lumpkin, Georgia, on November 15, 2019. The center has also had confirmed coronavirus cases.

(CNN) — For months, immigrant detainees held in Farmville, Virginia, worried about the coronavirus pandemic unfolding across the United States, but within the confines of the facility, the situation appeared to be stable, with few to no cases. Then, a sudden spike.

Coronavirus cases at the Immigration and Customs Enforcement detention center in Farmville, which holds adult males, [jumped to 49 cases](#) within recent days and more people are beginning to fall ill, according to interviews with detainees at the facility and lawyers representing them.

The detainees agreed to share their experience on condition CNN only refer to them by their last names out of fear of retribution.

"There are a lot of people with symptoms of fever, headache and vomiting," Sanchez, 27, said. "When they do the count, you have to stand and there are a lot of weak people. One man fainted." That man was taken to the medical unit then returned to the dorm shortly after, the detainee recalled.

"People preparing our food are also sick and they keep sending them to the kitchen to prepare food for the inmates," Gonzalez, 33, said. "I'm very scared right now."

Detainees and lawyers who spoke to CNN described lack of social distancing, cloth face masks that need to be refreshed and people collapsing from illness.



Related Article: Begging for release, ICE detainees say they had to work in potentially contaminated areas as coronavirus spreads

Nationwide, immigration detention facilities holding more than 23,000 detainees continue to reckon with the spread of coronavirus months into the pandemic. On Friday, concerns over conditions prompted [a federal judge to require](#) the release of migrant children held in ICE's three family detention centers by mid-July.

A [recently released government watchdog report](#) underscored the dramatic uptick in cases among detainees in custody since the coronavirus outbreak, starting with one case on March 25 and increasing to 1,312 on May 26.

There are 751 detainees in ICE custody who have tested positive for coronavirus and are currently under isolation or monitoring and 8,858 tested overall as of Friday, [according to the agency's latest statistics](#).

Immigrant lawyers and advocates repeatedly warned that confined spaces at facilities put men, women and children at risk of contracting the virus, despite efforts by ICE to reduce its detained population by releasing those considered most vulnerable.

"We have a real fear that we may have dead clients at some point," said Brian Casson, an immigration attorney representing four detainees at the Farmville facility.

Conditions worsen at a Virginia detention facility

Lawyers say that an agency effort to transfer detainees to provide for social distancing factored into the surge in cases at Farmville.

ICE said in a statement that during the pandemic, "the agency has taken steps to protect detainees in its custody and promote social distancing whenever possible," adding: "This has resulted in the transfer of detainees from facilities with larger detention populations to facilities with fewer detainees. Prior to transport, the agency conducts temperature checks and medically screens detainees for COVID-19 symptoms."

According to ICE, on June 2, 74 detainees were transferred to the Farmville detention center from facilities in Arizona and Florida and quarantined. They were eventually tested after three detainees had confirmed cases. Of the 74 detainees transferred, 47 tested positive for coronavirus as of June 22. There are 412 detainees at Farmville.

Detainees say that despite measures to separate those with confirmed cases, there continues to be

intermingling, particularly with the staff members attending those who are separated and then engaging with the general population.

Gonzalez told CNN that detainees are also receiving temperature checks twice daily, but that requires placing their faces against a glass that isn't sanitized between screenings. "They don't clean it. Everyone still has to go through the same process," Gonzalez said. "There's never social distancing. We're always together. Basically, we're sharing everything."



Related Article: Judge rules migrant children in government family detention



centers must be released due to coronavirus

ICE pushed back on the claim that detainees had to place their face against a window for screening, saying in a statement: "No medical personnel have directed detainees to place their face against a

window, nor is there a medical need for detainees to place their face on a window in order to conduct a temperature check."

The agency also said it is medically screening people who work in the kitchen, which detainees shared was a concern, and providing N95 masks and cloth masks, according to a spokesperson.

The spokesperson added that the Farmville Detention Center plans to begin testing the entire detained population by early next week.

Detainees are anxiously waiting for more testing, but don't seem to be seeing improvement for now.

"The days are passing and things are getting worse," Sanchez said.

Attorneys continue to raise alarm

Months into the pandemic, coronavirus continues to pick up steam, fueling fears among detainees who are confined to facilities similarly grappling with the outbreak.

The Department of Homeland Security inspector general found [in a June report](#) that while "almost all facility personnel" across a slew of centers said they were prepared to address the virus, they still "expressed concerns if the pandemic continued to spread."

The inspector general similarly found issues related to social distancing, stating in the report that "facilities reported concerns with their inability to practice social distancing among detainees, and to isolate or quarantine individuals who may be infected with COVID-19."

Delia Salvatierra, an immigration attorney based in Arizona, has had eight of her clients test positive at two separate detention facilities in Arizona.

"Every single client that I have had in custody during this time has had Covid. Not one has escaped it," Salvatierra said.

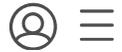
"I think from (the Department of Homeland Security) point of view, they're doing what they can to isolate individuals but the problem starts much earlier. It starts from co-mingling people. There's no safe way to



maintain people in a closed environment, when people are coming in and out, such as the guards and staff," she added.

Earlier this month, lawyers representing a group of detainees at an Arizona immigrant detention center, where Salvatierra had clients test positive, [pointed to a letter](#) they said detailed dangerous conditions in custody as coronavirus spreads in the facility.

The letter, dated May 18, alleged that social distancing measures have not been put in place at the facility and that detainees continue to clean areas.



In some cases, fears and desperation among detainees over the pandemic have given way to protests.

LIVE TV

Advocacy groups say [hunger strikes have been on the rise](#) since concerns about Covid-19 surged, as have reports of incidents involving use of force, such as the pepper spray that officers fired at the Bristol County facility on May 1.

A similar scenario unfolded at the Farmville center this week when detainees protested medical conditions at the facility, according to those in custody. ICE said there was no protest, but conceded there was a "disturbance involving two detainees in a dorm" that required staff to use pepper spray.

Across the country, lawsuits have been filed to release detainees and put measures in place to protect those in custody. In the interim, thousands of detainees are left waiting. The National Immigration Project, CAIR Coalition, and Legal Aid Justice Center brought a lawsuit for nine detainees to be released from the Farmville facility in April.

"We filed litigation for a group of nine people who are medically vulnerable that we were trying to get out of detention and unfortunately, at the time, the judge didn't see things our way and didn't grant the release," said Sirine Shebaya, executive director of the National Immigration Project, adding that the case is on appeal.

"The circumstances at Farmville right now are a perfect illustration of the ways in which the ongoing transfers that ICE has insisted on continuing are contributing to the spread of coronavirus," she said.

Of the nine who were part of the litigation, only two remain at the center.

CNN's Geneva Sands and Catherine Shoichet contributed to this report.

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JUN 29, 1:17 PM

After Transfers From Coronavirus Hotspots, Cases Spike At Farmville ICE Detention Facility

Jenny Gathright



A guard walks a with a detainee in the intake area at the Adelanto ICE Processing Center in Adelanto, Calif.

Chris Carlson / AP

A recent uptick in COVID-19 cases at an Immigration and Customs Enforcement (ICE) facility in Virginia has raised new concerns about safety, and about the facility's management.

At the end of last month, there were no active, confirmed cases of COVID-19 at the Farmville Detention Center in central Virginia, where many immigrants whom authorities believe entered the country illegally are detained.

[As of Monday](#), 50 of the 412 people detained in Farmville in had tested positive and were considered “active” cases. But detainees say the true level of infection is far higher, and the risk of the coronavirus spreading further is severe: They describe an environment where many people are sick, unable to isolate, and denied proper medical care. They allege ICE actively endangered people in the facility by transferring detainees from other states into Farmville, and their families and lawyers are demanding that detainees, particularly the most medically vulnerable, be released.

“It’s very scary to have a family member in there, knowing that he could die,” says Andy Umana, a Woodbridge, Va. resident whose cousin is currently detained at Farmville. Umana says his cousin told him he has a headache, a stomachache, a fever and loss of his sense of taste. He also says his cousin and other detainees went on a hunger strike to protest their conditions.

The new confirmed coronavirus cases in Farmville coincide with the recent arrival of 74 detainees from facilities in Arizona and Florida, [the latest epicenters for the virus in the U.S.](#). In an email to WAMU, an ICE spokesperson said the transfer was done on June 2 to free up space in overcrowded facilities.

“During COVID-19, the agency has taken steps to protect detainees in its custody and promote social distancing whenever possible,” the spokesperson wrote. “This has resulted in the transfer of detainees from facilities with larger detention populations to facilities with fewer detainees. Prior to transport, the agency conducts temperature checks and medically screens detainees for COVID-19 symptoms.”

By June 11, nine days after the transfer, three of those 74 detainees had tested positive for COVID-19. Then, according to the ICE spokesperson, medical staff at Farmville performed “precautionary tests” on all 74 detainees. They found that 47 tested positive for COVID-19 as of June 22.

ICE says all of the people who were transferred into the facility were quarantined, and did not enter the general population living quarters. The agency says it houses detainees who test positive for the virus in dorms separate from those who have not tested positive. And ICE says the Farmville facility has added hand washing capacity in the dorms, with additional sinks and hand sanitizer, and has given all detainees three N95 masks and two cloth masks that they can launder every 72 hours.

But detainees and their family members say the infection is now spreading among those who were in the facility before.

“At this point, ICE is playing with the lives of several people, and it’s their fault that the coronavirus was introduced to the facility,” says Brian Casson, an immigration attorney who has three clients in the facility, both reporting symptoms consistent with COVID-19. “It was either done with malice, negligence or recklessness.”

In their email to WAMU/DCist, the ICE spokesperson wrote that medical staff at Farmville will test every single detainee in the facility early this week to understand the true extent of the virus’s spread in the facility.

Norma, whose last name we are not disclosing for privacy reasons, says she can hear her husband coughing every time he calls her.

“Last night, he couldn’t even talk,” Norma said last week. “I couldn’t sleep. And I said, ‘Well, please call me at least three times a day, because I want to know you’re OK. I just need to know.’”

On Monday, Norma said her husband’s fever had been controlled with medication, but he was still coughing. She said he remained in his dorm, surrounded by other detainees.

A young man in his 20s who is detained at Farmville told WAMU/DCist he began to feel sick at the beginning of last week. He did not want to disclose his name because he feared the consequences of speaking out. He said he had a fever, a cough, headaches, body aches and trouble breathing, but had gone five days without receiving a COVID test or visiting a doctor. Despite his requests to get a test, he says he only received Tylenol as treatment and was not isolated from his dorm.

“How are we going to be safe if we don’t even have space to breathe?” he says, mentioning that he does not have the opportunity to distance himself from the other men in his 80-person dormitory.

The young man also described an incident in which guards used pepper spray on detainees who did not stand up to be counted. The young man says they were unable to stand because they were sick.

“They try to use the pepper spray for no reason,” he says. “They fell down because they’re really sick ... people are not joking with their life.”

The ICE spokesperson wrote that last week, there was a “disturbance involving two detainees in a dorm which required ICA Farmville staff to use a form of non-lethal force, commonly known as ‘OC spray’” (O.C. spray is commonly referred to as pepper spray). It was not immediately clear whether the spokesperson and the detainee were referring to the same incident.

“I have one client in particular who fainted and did not receive medical treatment and then was sent to isolation because they said he started a protest,” says Eileen Blessinger, an immigration attorney who represents several people at the facility.

Blessinger also said she had clients who had not been tested for COVID-19, despite displaying symptoms associated with the virus.

Immigrant advocacy groups say they feared an outbreak of this scale as early as April, [when they filed a temporary restraining order](#) asking for the immediate release of medically vulnerable detainees in Virginia.

At the time, a judge denied the plaintiffs’ request, saying that Farmville had adequate safeguards against the virus’s spread. Senior United States District Judge Liam O’Grady with the District court for the Eastern District of Virginia cited Farmville’s policy of quarantining detainees transferred from other facilities, screening staff for COVID-19 symptoms, and sanitizing the facility. At the time of his April 29 order, he wrote that no one in the facility had tested positive for COVID-19.

“In short, the detention facilities have taken steps to prevent the spread of the virus, and to improve their capacity to treat it,” the order said. “These steps appear to have been effective, undercutting Plaintiffs’ argument that their detention is not related to a legitimate government purpose.”

Adina Appelbaum, one of the lawyers who represented the plaintiffs in that suit, sees the recent outbreak of the virus as proof that their concerns were valid.

“I really wish we were not in this situation,” Appelbaum says. “We did not want to be right. But we saw the writing on the wall in what was happening in other facilities around the country.”

Appelbaum cites the Otay Mesa Detention Center in California as an example of a situation where an outbreak deteriorated quickly because officials did not respond with enough urgency. *The Wall Street Journal* reported that a failure to quickly isolate symptomatic people inside the facility [resulted in the rapid spread of COVID-19 among detainees](#). ICE reports that 166 detainees at Otay Mesa have tested positive for the virus, and one has died from it.

Family members and attorneys are calling for detainees to be released from Farmville.

“Immigration detention should not be a death sentence,” Appelbaum says. “With the rising number of cases in Farmville, continued detention during this pandemic is really a matter of life or death. And the people we are serving in detention are completely scared for their lives.”

Norma wonders why her husband could not be sent home and supervised with an ankle monitor, so he could properly isolate. She says he is diabetic, which makes him particularly vulnerable to the virus. Even though money is tight, Norma said she would find a way to pay for a hotel room where he could stay until he recovered. The economic downturn and COVID-19 restrictions have hurt her husband’s landscaping business and her salon business: She has been managing both in her husband’s absence, and wondering how she will cover the mortgage payment for her home. But above all, she is worried about the health of people in the facility.

“He’s a human being,” Norma says. “And not just my husband, but every single one of those people in there. They’re human beings, and they deserve our respect.”

This story was updated to reflect that Brian Casson has three, not two clients in the facility, and to add newly released data from ICE.

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

In the Matter of: [REDACTED]

A Number: [REDACTED]

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of Respondent's EMERGENCY MOTION TO CONTINUE INDIVIDUAL HEARING DUE TO SUDDEN INVOLUNTARY TRANSFER AND SUBSEQUENT COVID-19 QUARANTINE 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 to the reasons stated in the opposition to the motion.

The motion is untimely per: _____.

Other: _____.

If granted, the Individual Hearing shall be set for: _____.

Date: _____, 2020

Immigration Judge

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Date: _____

By: Court Staff: _____

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

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██████████
A ██████████

PROOF OF SERVICE

On ██████████ 2020, I, ██████████, served a copy of this:

**EMERGENCY MOTION TO CONTINUE INDIVIDUAL HEARING DUE TO SUDDEN
INVOLUNTARY TRANSFER AND SUBSEQUENT COVID-19 QUARANTINE**

and all attached pages to: The Office of Chief Counsel
at the following address: 1901 S. Bell Street Suite 900
 Arlington, VA 22202

By: first-class mail hand-delivery ICE eService Portal

other: courtesy copy to Assistant Chief Counsel ██████████ at
██████████

██████████
Signature

██████████
Date