

**DECLARATION OF EMILIO PARKER IN SUPPORT OF
WILSON OMAR PAZ AGUILERA'S HABEAS CORPUS PETITION AND EX
PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER**

I, Emilio Parker, hereby declare the following:

1. I have personal knowledge of the matters stated in this declaration, except as to those matters stated on information or belief. If called to testify, I would testify as to these matters.
2. I represent Wilson Omar Paz Aguilera in removal proceedings.
3. On April 27, 2019, Mr. Paz Aguilera entered the United States without inspection. He was detained at the border for three days then released on April 30, 2019.
4. Mr. Paz Aguilera has resided in East Palo Alto, California with his wife and children since being released.
5. Mr. Paz Aguilera has a US citizen daughter who is three years old and two other children who are applying for a U-Nonimmigrant visa with Mr. Paz Aguilera.
6. Mr. Paz Aguilera is the sole provider for his family.
7. Mr. Paz Aguilera suffers from diabetes and high blood sugar. Mr. Paz Aguilera was hospitalized in September of 2025 because of his diabetes and high blood sugar.
8. Mr. Paz Aguilera has attended every ICE appointment and immigration proceeding.
9. On July 7, 2024, the DHS filed a Notice to Appear with the immigration court.
10. On August 2, 2024, I filed a Notice of Entry of Appearance as attorney of record with the immigration court for Mr. Paz Aguilera.
11. On August 30, 2024, I filed a U-Nonimmigrant Visa with USCIS.
12. On January 13, 2025, I filed a motion to administratively close removal proceedings for Mr. Paz Aguilera based on the pending U-Nonimmigrant Visa application.
13. On January 24, 2025, the immigration judge administratively closed his removal proceedings.
14. On July 30, 2025, the DHS move to re-calendar proceedings, however that motion was denied by the immigration judge as Mr. Paz Aguilera's U-Nonimmigrant visa remained pending.
15. On November 18, 2025, Mr. Paz Aguilera called my office to inform me that he was detained by ICE at his regular check-in appointment. He informed me that the ICE

officer informed him that he had a deportation order and he was being held at 630 Sansome Street, San Francisco, CA 94111.

16. I asked Mr. Paz Aguilera to put the ICE officer on the phone. I spoke with the ICE officer who told me that he has a deportation order.
17. Mr. Paz Aguilera does not have a deportation order. His case remains pending and has been removed from immigration court's calendar.
18. I informed the ICE officer that his case was administratively closed and requested his release however the ICE officer informed me that he had no authority over the decision to release Mr. Paz Aguilera.
19. On November 18, 2025 and November 19, 2025, I emailed San Francisco Outreach the following:

“Our office represents Mr. Paz Aguilera in removal proceedings. Mr. Paz Aguilera arrived in 2019. Mr. Paz Aguilera was detained on November 19, 2025. Mr. Paz Aguilera was recently hospitalized for diabetes. Mr. Paz Aguilera's case was administratively closed and the Immigration Judge has not recalendared the case as Mr. Paz Aguilera has a pending U-Nonimmigrant Visa. Mr. Paz Aguilera has three children and a wife that depend on him. He has no criminal history. His youngest daughter is a US citizen. Mr. Paz Aguilera requires the following medication. (Please see attachment). Please consider releasing Mr. Paz Aguilera on an ankle monitor as he requires his medication.”

20. On November 19, 2025, ICE in San Francisco responded.

“Greetings,
We've forwarded your message to the Bakersfield ICE office, who has case management over this case. You may email directly: BKIDETAINED@ICE.DHS.GOV

Sincerely,
The San Francisco ERO Outreach Team”

21. I emailed BKIDETAINED@ICE.DHS.GOV the same email and added the following:

“Please consider releasing Mr. Paz Aguilera on an ankle monitor as he requires his medication and the family requires his presence while the U-Visa is pending. He cannot go for a prolonged period without his medication.

There is no other remedy for his release other than a Federal Writ of Habeas Corpus as the immigration court no longer has jurisdiction over this matter. Please release him on ankle monitor or respond to

me as soon as possible as I need to exhaust all available avenues for release before filing a Federal Writ.”

22. As of November 21, 2025, I have received no response from ICE regarding Mr. Paz Aguilera’s release.
23. On November 20, 2025, I spoke with Mr. Paz Aguilera. Mr. Paz Aguilera called my office and informed me that he wanted to be released. I informed him that today I will file a writ of habeas corpus with the Federal Court as there is no other available means to have him released.
24. Mr. Paz Aguilera agreed for me to prepare the writ and informed me that he has been transferred to California City Detention facility. His case is still in the jurisdiction of the San Francisco Immigration Court and remains administratively closed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Oakland, California on November 21, 2025 in Oakland, CA.

/s/ Emilio Parker
EMILIO TOMAS PARKER