

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

GIAO PHONG LE NGUYEN	:	
	:	
<i>Petitioner,</i>	:	
	:	Case No. 2:25-cv-01198
v.	:	
	:	
KRISTI NOEM, in her official capacity as	:	
Secretary of the Department of Homeland	:	
Security; PAMELA BONDI, in her official	:	
capacity as Attorney General of the United	:	
States; TODD M. LYONS, in his official	:	
capacity as Acting Director and Senior	:	
Official Performing the Duties of the	:	
Director of U.S. Immigration and Customs	:	
Enforcement; MARY DE ANDA-YBARRA,	:	
in her official capacity as Field Office	:	
Director of the El Paso Field Office of U.S.	:	
Immigration and Customs Enforcement,	:	
Enforcement and Removal Operations; and	:	
DORA CASTRO, in her official capacity as	:	
Warden of the Otero County Processing	:	
Center,	:	
<i>Respondents.</i>		

**DECLARATION OF
ASSISTANT FIELD OFFICE DIRECTOR JOSE P. ORTEZ**

Pursuant to the authority of 28 U.S.C. § 1746, I, Jose P. Ortiz, Assistant Field Office Director (AFOD) for the U.S. Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) Office in El Paso, Texas, declare as follows:

1. I am employed by the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) and currently serve as an Assistant Field Office Director (AFOD) for the El Paso Field Office. I have been employed by DHS since 2006. I have served as a supervisor within the organization since 2020. In my current

position, I am responsible for the detention and removal operations at the Otero County Processing Center (OCPC) in Chaparral, New Mexico.

2. I provide this declaration based on my personal knowledge, reasonable inquiry, and information obtained from various records, systems, databases, other DHS employees, and information portals maintained and relied upon by DHS in the regular course of business.

3. I am aware that the above-captioned petition for writ of habeas corpus has been filed in the U.S. District Court, District of New Mexico.

4. I am familiar with the facts and circumstances regarding the detention of Giao Phong Le Nguyen and the efforts to remove him from the United States.

5. Nguyen is a native and citizen of Vietnam. He received a final order of removal on September 13, 2005.

6. On January 20, 2025, Nguyen was encountered at the U.S. Border Patrol checkpoint in Sierra Blanca, Texas. On January 22, 2025, Nguyen was booked into the Otero County Processing Center.

7. On January 29, 2025, pre-removal checks were completed for Nguyen. His file was forwarded to the travel team for removal.

8. On February 13, 2025, ERO provided Nguyen with a DHS Form I-217, Information for Travel Document or Passport, and a passport application. Nguyen filled out the provided documents.

9. On March 10, 2025, ERO initiate travel document request coordination.

10. On April 22, 2025, ERO reached out to the assigned Detention and Deportation Officer to request a status update on the issuance of travel documents for Nguyen.

11. On November 7, 2025, ERO reached out to the assigned Detention and Deportation Officer to request a status update on the issuance of travel documents for Nguyen.

12. On November 17, 2025, ERO contacted the Vietnamese Consulate to request a status update on the issuance of travel documents for Nguyen.

13. On November 19, 2025, ERO contacted translation services to request translation of three documents from English to Vietnamese and was informed the translation would be complete on December 3, 2025.

14. On December 3, 2025, the translated documents were received, and the travel document request was submitted to ERO headquarters.

15. On January 27, 2026, ERO was informed by the assigned Detention and Deportation Officer that the travel document request is still being processed and there is a backlog of travel document requests for Vietnam.

16. In 2025, ICE successfully removed over 400 Vietnamese nationals to Vietnam. Generally, Vietnam is issuing travel documents on average within thirty days of the request. ICE submitted the travel document request for Nguyen on December 3, 2025. ICE anticipates no impediments to securing the travel document and repatriating Nguyen to Vietnam in the reasonably foreseeable future.

I declare under penalty of perjury that the foregoing is true and correct. Signed on the 27th day of January 2026.

JOSE P ORTEZ  Digitally signed by JOSE P ORTEZ
Date: 2026.01.27 17:39:05 -07'00'

Jose P. Ortiz
Assistant Field Office Director
U.S. Immigration and Customs Enforcement
Chaparral, New Mexico

