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5 Counsel for Petitioner
6 Moises Gomez Mendez

7 UNITED STATES DISTRICT COURT FOR THE
8 CENTRAL DISTRICT OF CALIFORNIA

9 Moises Gomez Mendez, Alien # 
 Petitioner,

10 v.

11 PAMELA BONDI, in her official capacity as
Attorney General,

12 KRISTI NOEM, in her official capacity as
13 Secretary of the Department of Homeland
Security,

14 U.S. DEPARTMENT OF HOMELAND
15 SECURITY,

16 F. SEMAIA, in his official capacity as Warden of
Adelanto Detention Facility,

17 JAIME RIOS, in his official capacity as Acting
18 ICE Field Office Director,
Respondents.

No.:
25-cv-03401-DOC-E

**DECLARATION OF MARK
A. DIAZ**

1 I, Mark A. Diaz, hereby declare as follows:

- 2 1. My complete name is Mark Andrew Diaz I am an attorney in private practice
3 licensed in the State of Maryland, and employed as an associate attorney
4 with the Law Office of Jan Peter Weiss.
5
6 2. On December 23, 2025, I represented Mr. Moises Gomez Mendez in his
7 custody redetermination hearing before the Honorable Judge Matthew Chan.
8
9 3. The facts stated in this declaration are true and of my own personal
10 knowledge, except as to any matters stated on information and belief, and as
11 to those matters, I am informed and believe them to be true.
12
13 4. I have reviewed the Digital Audio Recording ("DAR") that is available
14 through the Electronic EOIR Courts & Appeals System ("ECAS"), and the
15 following is a substantively accurate transcript of the relevant part of the
16 Honorable Immigration Judge's ruling referred to in Petitioner's Reply to
17 Respondent's Reply re: Order to Show Cause:

18 Right, but I think counsel that the procedural posture of the case
19 particularly is important to the flight risk analysis. Right, that
20 means that at least in the instance here I've now decided the
21 Respondent's merits now I understand it's not quite yet final
because obviously the Board can tell me and say tell me you're
wrong you shouldn't have pretermitted the case and will issue a
remand for further merits but I don't necessarily see, well I'll
say it this way, I made the decision I made because I believe it
was correct, right. So, I don't necessarily see what is wrong
with my decision. I'm not saying there isn't an error. I'm just
saying it's already gone through my level of review and so we're

1 looking at the Board and then eventually it's going to go
2 potentially to the Ninth Circuit assuming that the Board affirms
3 my decision and so the further away you get from the trial
4 court, the immigration court, the more I think the flight is . . .

5
6 DAR, at 10:45.

7 Executed on January 8, 2026, in Havre de Grace, Maryland

8 
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15 **ATTORNEY FOR PETITIONER**
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