

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

Segundo Mariano Chachipanta,

Case No. 3:26-cv-00250-LS

Petitioner,

**DECLARATION OF PETITIONER
SEGUNDO MARIANO CHACHIPANTA**

v.

MARY DE ANDA-YBARRA, in her official
capacity as Field Office Director of
Enforcement and Removal Operations, El
Paso Field Office, Immigration and Customs
Enforcement, et al.,

Respondents.

1. I, Segundo Mariano Chachipanta, am the Petitioner in the above-captioned proceeding. I submit this Declaration in support of Petitioner's Motion to Alter or Amend Judgment upon my own personal knowledge of the facts and circumstances set forth herein.

2. This Declaration has been prepared by my attorneys based on our conversations and my personal knowledge. I spoke with my attorneys over the phone, and they prepared this declaration based on our conversations. This Declaration has been translated to me in Spanish, and I have confirmed its veracity and accuracy.

3. I am a citizen of Ecuador, and, prior to January 2026, I had resided in the United States since about 2010.

4. My highest level of education is elementary school. Most recently, I worked as a construction worker in the United States.

5. I was apprehended by immigration authorities on or about January 8, 2026 in Minnesota.

6. After I was apprehended, I was detained in Minnesota for about one day, then I was transferred to ICE El Paso Camp East Montana ("East Montana") in El Paso, Texas.

7. During my first week at East Montana, on or about January 14, 2026, I was brought to a private room with one female Hispanic officer. While in that room, I was handcuffed by my hands and feet. The officer presented me with a document in English. She asked me if I knew how to speak English, and I informed her I understood very little English. She began explaining the document to me in English. Based on my understanding of what she said in English, I thought she said that if I signed the document, I would be released from detention within 72 hours. While the officer was explaining the document to me in English, I asked her if she could tell me what the document says in Spanish.

8. At that point, the officer stated I was a "racist." Another officer then entered the room and forced me to sign the document. I was explicitly told that if I did not sign the document, I would remain in detention for eighteen months. I do not know what the document is called that I was told to sign. I was not permitted to call my children or my attorney to discuss signing the document. These conditions caused me mental distress. I do not have any copies of the document I signed. The document had check boxes on it, but I do not remember checking any of the boxes.

9. On January 30, 2026, I filed a Verified Petition for Writ of Habeas Corpus and Complaint for Declaratory Relief, ECF 1 in this case.

10. On or about February 3 or 4, I asked the ICE officers at East Montana if there was anything I could do to inquire more about the document I signed because I didn't know what the document said. I spoke to a male Hispanic officer at East Montana. When I spoke to him, I also expressed my fear of returning to Ecuador. The officer ignored me when I spoke to him. There were other detainees who witnessed me talking to the officer.

11. I also noted my fear of returning to Ecuador in writing. Using the tablet provided to me in East Montana, I wrote to ICE officials and expressed my fear of returning to Ecuador. I also left a complaint in the comment section for East Montana detention facility, where I was advised to leave complaints.

12. On or about February 4, 2026, ICE officials contacted me to tell me that I had a right to a lawyer. They said that if I had a lawyer, the lawyer would know what is happening with my immigration case. I was told I had 30 days to appeal my removal.

13. On or about February 5, 2026, I was told to stand in a line. I was handcuffed by my hands and feet. When I got to the front of the line, there was an officer with a laptop. He asked me why I was afraid to return to Ecuador. I began to explain that [REDACTED] had been threatening me, which caused me to go into hiding. Before I could finish explaining, the officer shut the laptop and left. I was never given another chance to articulate why I was fearful to return to Ecuador.

14. On or about February 6, 2026, I received a notice that I was being assigned to a flight to return to Ecuador. I was provided with no further information.

15. On the evening of February 22, 2026, officers told me to gather my belongings because I was leaving the detention facility. I believed that I was being returned to Minnesota. I kept asking officers for more information, but no one would answer any of my questions. I asked why I was being transported when I knew the Court set a deadline in this case for the following day.

16. Around 1:00 AM on February 23, 2026, I was transported to an airport and removed to Ecuador. I was dropped off in Guayaquil, Ecuador, which is an eight hour drive from my last home in Ambato, Ecuador, where I lived over 15 years ago. I was left with no money and no phone.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: 03/25/26

A handwritten signature in black ink, appearing to read 'Segundo', is written over a horizontal line.

Segundo Mariano Chachipanta