UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

G.B.T., *Petitioner*, v. JOHN RIFE, et al., *Respondents*.	Case No. 2:26-cv-01842 Judge John M. Younge

PETITIONERS' REPLY IN SUPPORT OF STAY MOTION UNDER THE ADMINISTRATIVE PROCEDURE ACT, 5 U.S.C. § 705

PRELIMINARY STATEMENT

Petitioner G.B.T. ("Petitioner") seeks a stay under § 705 of the Administrative Procedure Act (APA) of Respondents' policy of shackling noncitizens with electronic GPS ankle monitors and intensive supervision appearance requirements with no individualized consideration of their cases. *See generally,* ECF No. 20, § 705 Stay Mot. In his initial filing (ECF No. 1), Petitioner raised distinct claims under habeas (Claims I-IV), for his release from unlawful restraints on his liberty, and under the APA (Claims V-VII), seeking vacatur of the policy under which Respondents implemented those unlawful restraints.

Respondents' opposition (ECF No. 21) fails to meaningfully respond to Petitioner's motion. Respondents do not dispute that the Philadelphia ICE Field Office adopted a sweeping policy to apply ankle monitors and other surveillance conditions on non-detained noncitizens absent individualized review, following the issuance of an ICE memo in June 2025 instructing ICE field offices to "escalate . . . supervision level to GPS ankle monitors whenever possible and increase reporting requirements, regardless of case type . . . ." ECF No. 1-4, Helland Memo. Nor do they dispute that this policy is a reversal of their previous practice of conducting individualized review of the need for surveillance and intensive supervision. ECF No. 20-3, ICE Enforcement and Removal Operations (ERO) Statistics; ECF No. 20-3, ICE Alternative to Detention (ATD) Handbook. Respondents offer no evidence that they provided a reasoned explanation, assessed reliance interests, or considered constitutionally protected liberty interests when they abruptly reversed agency policy regarding the implementation of release conditions.

Rather than defend the Philadelphia ICE surveillance policy on the merits, Respondents attempt to evade judicial review altogether, arguing that Petitioner—who was indisputably subject to an ankle monitor and remains subject to the increased reporting requirement of the Compliance

Assistance Reporting Terminal (CART) monitoring, as the Helland Memo directs—lacks Article III standing. ECF No. 21, Opp. at 1-3. In doing so, Respondents simply recycle their arguments in opposition to Petitioner's habeas claims (ECF No. 13) and assert that Petitioner's APA claims will not survive the resolution of his habeas petition. *Id.* at 2. But Petitioner's APA claims raise legal questions independent of those raised in his habeas claims: whether the Philadelphia ICE surveillance policy is contrary to law and constitutional right, arbitrary and capricious, and in excess of statutory authority, in violation of the APA. *See* ECF No. 20-2, Mem. at 8-25 (describing the merits of Petitioner's APA claims).

At bottom, Respondents assert that under the regulations, they maintain complete and final authority over the conditions of a noncitizens' release. ECF No. 21, Opp. at 2. But this is a defense to a habeas claim, not Petitioners distinct APA claims. And Respondents' misreading of the statutory and regulatory framework, already rejected by courts in this District and throughout the country, does not provide a reasoned basis for their adoption of the Philadelphia ICE surveillance policy. *See, e.g., N-N- v. McShane*, 813 F. Supp. 3d 496, 501 (E.D. Pa. 2025); *Kegel v. Rose*, 2026 WL 1018335, at *8 (E.D. Pa. April 15, 2026). *See also* ECF No. 20-2, Mem. at 14-15 (explaining how Respondents' policy contravenes the agency's rules and the relevant statutory and regulatory scheme governing noncitizens' release from custody). Simply put, Respondents' post-hoc misreading of the statutory and regulatory framework cannot mask the unlawful, unconstitutional, and arbitrary and capricious nature of the Philadelphia ICE surveillance policy.

Should (as Respondents predict) this Court grant Petitioner's habeas and order his release from CART monitoring, Petitioner will still be subject to the Philadelphia ICE surveillance policy and at risk of the same arbitrary escalation of supervision after a court-ordered release that necessitated his habeas petition. This injury is not hypothetical. Respondents' conduct in this very

case demonstrates that they continue to apply conditions of release—including ankle monitors and compulsory compliance with surveillance programs—in violation of court release orders. And the existence and ongoing implementation of this policy was confirmed by officials at the Philadelphia ICE Field Office as recently as May 12, 2026. *See* Ex. 1, Wolf-Sorokin Decl. This Court should therefore stay the policy pending final resolution of Petitioner's APA claims to protect him from irreparable harm and to preserve his rights.

ARGUMENT

I. PETITIONER'S APA CLAIMS ARE NOT MOOTED SHOULD HIS HABEAS CLAIMS BE GRANTED.

As an initial matter, Respondents erroneously assert that Petitioner lacks "standing to assert this claim following resolution of the habeas petition," when they in fact raise a mootness argument. ECF No. 21, Opp. at 2. Respondents raise no argument to meet their burden to show that this case is currently moot. *See Hartnett v. Pa. State Educ. Ass'n*, 963 F.3d 301, 306 (3d Cir. 2020) ("If the defendant (or any party) claims that some development has mooted the case, it bears '[t]he heavy burden of persua[ding] the court' that there is no longer a live controversy.") (citing *Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 189 (2000)). That alone means this Court should adjudicate Petitioner's APA claims.

Instead, Respondents appear to urge this Court to dismiss Petitioner's APA claims on the grounds that a habeas court order will provide him full relief. But a court order releasing Petitioner from such unlawful restraints does not moot his claims where Respondents continue to implement the Philadelphia ICE surveillance policy. *See id.* (explaining that whether the defendant "could reasonably be expected to engage in the challenged behavior again" is "always the key question, no matter *why* the defendant ceased its behavior."); *Doe v. City of Albuquerque*, 667 F.3d 1111, 1117 n.5 (10th Cir. 2012) (finding that an injunction granting plaintiffs access to city libraries did

not moot the case, particularly where the city "forcefully maintained the constitutionality of the enjoined [policy]" and planned to reinstate it in the future).

Petitioner also has standing to bring his APA claims for a stay of the Philadelphia ICE surveillance policy independent of the fact that this Court maintains jurisdiction over his habeas claims. *See* ECF No. 17, Reply at 2-3 (discussing that petitioner was indisputably "in custody" at the time of filing). Article III standing requires: (1) an injury in fact that is concrete and particularized; (2) a causal connection between the injury and the challenged conduct; and (3) redressability. *See Constitution Party of Pa. v. Aichele*, 757 F.3d 347, 360 (3d Cir. 2014) (citing *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560-61 (1992)). Standing turns on the facts as they exist at the time a complaint is filed. *See Lujan*, 504 U.S. at 569, n.4. "But once the plaintiff shows standing at the outset, [he] need not keep doing so throughout the lawsuit. Instead, the burden shifts." *Hartnett*, 963 F.3d at 305.

Here, Petitioner satisfies all three criteria. Respondents concede that when Petitioner filed this action, he was subject to conditions—a GPS-enabled ankle monitor and enrollment in the Intensive Supervision Appearance Program—pursuant to the Philadelphia ICE surveillance policy. ECF No. 1, Pet. & Compl. at ¶¶ 64-69; ECF No. 13, Habeas Opp. at 2. First, Petitioner's injuries are concrete and particularized: because of the policy, he is currently subject to conditions of release outside the scope of the controlling immigration judge (IJ) bond order, in violation of his constitutional due process rights and the government's own statutory and regulatory scheme governing a noncitizen's release from custody. Even if those conditions are removed at habeas, the policy will continue to expose him to arbitrary escalation of supervision beyond that ordered by a court. *See Spokeo, Inc. v. Robins*, 578 U.S. 330, 339 (2016) ("For an injury to be particularized, it must affect the plaintiff in a personal and individualized way.") (citation

modified). Second, these injuries are directly traceable to Respondents' conduct. *See Lujan*, 504 U.S. at 560. Respondents readily admit that their policy directed them to apply ankle monitors and enroll people in the Intensive Supervision Appearance Program following release from immigration detention on bond. ECF No. 13, Habeas Opp. at 1-3; *see also* Ex. 1, Wolf-Sorokin Decl. (describing statements by officials at the Philadelphia ICE Field Office on May 12, 2026, describing the new policy used to apply surveillance to noncitizens). And third, this Court can redress Petitioner's injuries by issuing a stay of the ICE Philadelphia surveillance policy pending resolution of Petitioner's APA claims, a remedy that would prevent Respondents from further imposing unlawful restraints on people's liberty.

This same redressability analysis also confirms that Petitioner's APA claims are not moot. Should this Court's forthcoming adjudication of Petitioner's habeas claims order his release from CART monitoring, that decision will not moot his APA challenge because Petitioner's APA claims present a live case or controversy. Petitioner has a live "case or controversy" because he is "threatened with" an "actual injury traceable to the defendant" that is "likely to be redressed by a favorable judicial decision." *Spencer v. Kemna*, 523 U.S. 1, 7 (1998) (citation modified). Here, Petitioner challenges an ongoing policy that applies to him as a noncitizen released pursuant to a court order. A favorable judicial decision staying the Philadelphia ICE surveillance policy would protect him from subsequent unlawful restraints on his liberty pursuant to that policy. *See* ECF No. 1-6, Thompson Decl. (detailing the application of the Philadelphia ICE surveillance policy to noncitizens released by habeas court orders).

Tellingly, Respondents do not affirm that they will not elevate Petitioner's supervision should this court dismiss his APA claims. Respondents' statements during this litigation only demonstrate their full embrace of the Philadelphia ICE surveillance policy and the likelihood that

unlawful restraints on Petitioner's liberty will continue. *See, e.g.,* ECF No. 13, Habeas Opp. at 10-13 (asserting that ICE has the power to dictate reporting requirements despite an IJ bond order and absent changed circumstances); ECF No. 21, Opp. at 2 ("[T]he plain reading of the regulations permit ICE to impose conditions of release following an initial custody determination, with the opportunity for the noncitizen to then seek review of those conditions by an immigration judge within seven days.") (citing 8 C.F.R. §§ 236.1(d)(1); 1236.1(d)(1)).

And newly obtained evidence further confirms the ongoing implementation of the policy. *See* Ex. 1, Wolf-Sorokin Decl. at ¶¶ 13-14 (describing that ISAP employee told an accompanying attorney that "everyone is getting ankle monitors" without consideration of the ICE ATD Handbook factors). On May 12, 2026, undersigned counsel, Mikaela Wolf-Sorokin, accompanied a client to a CART kiosk check-in appointment where the client was required to meet with an ICE official who advised that the client "was being enrolled in the ATD program" despite her prior release from ICE custody without such conditions. *Id.* at ¶¶ 6-8. Undersigned counsel spoke with a supervising official who reported that "the reason [the client] is being enrolled in ISAP is because she is waiting for an immigration judge order and she lives in Philadelphia." *Id.* at ¶ 10. The supervising ICE officer then stated that he was aware of ICE's prior ATD policy and the required individualized analysis but that "there are changes in the policy and they are going in a different direction." *Id.* at ¶ 11.

This case began with Respondents' violation of an immigration court release order and the record shows that Respondents have routinely violated habeas court orders by imposing unwarranted surveillance under their unlawful policy. Because that policy is still in effect, Respondents have not met their burden to show that Petitioner's APA claims are moot.

Finally, to the extent that Respondents' take issue with the fact that Petitioner raised both APA and habeas claims in his initial filing (ECF No. 1), the Supreme Court has frequently considered cases brought by noncitizens raising various APA, statutory and constitutional claims, even concurrently with habeas. *See Reno v. Flores*, 507 U.S. 292, 299-301 (1993); *Jean v. Nelson*, 472 U.S. 846, 849-50 (1985); *Nielsen v. Preap*, 586 U.S. 392, 401 (2019). And district courts nationwide regularly consider APA challenges raised, as here, through hybrid Petitions and Complaints. *See, e.g., Velesaca v. Decker*, 458 F. Supp. 3d 224, 242 (S.D.N.Y. 2020) (finding likelihood of success in class action raising both APA and habeas claims against the detention policies of ICE field office). Indeed, habeas relief alone does not provide an adequate remedy for Petitioner's APA claims which seek to vacate Respondents' unlawful policy.

II. THE BALANCE OF THE STAY FACTORS FAVORS PETITIONER.

Respondents' arguments regarding the remaining § 705 stay factors are equally unavailing. ECF No. 21, Opp. at 2-3. Petitioner has suffered and will continue to suffer irreparable harm—ongoing violations of his constitutional rights, the deprivation of his liberty, and psychological harm—absent a stay of the Philadelphia ICE surveillance policy. *See* ECF No. 20-2, Mem. at 25-27 (articulating irreparable harm). These harms are not speculative. *Id.* at 26-27 (detailing how the unlawful conditions of Petitioner's release have triggered nightmares, anxiety, stress, difficulty sleeping, and flashbacks, implicating his ability to work and attend to his family responsibilities).

Respondents admit that they will continue to subject Petitioner to unlawful restraints on his liberty in violation of the regulatory and statutory framework and the Fifth Amendment Due Process Clause. ECF No. 21, Opp. at 2. Their only defense is that Petitioner is not required to report via CART "for another four months—well after the conclusion of the instant proceedings." *Id.* at 2-3. But this argument only addresses Petitioner's habeas claims of unlawful restraint. It fails to contend with his APA claims of continued subjection to a policy of sudden and arbitrary

escalation of supervision even after court-ordered release, and the irreparable mental and emotional harm caused by this state of affairs. *See generally* ECF No. 20-5, G.B.T. Supp. Decl.; ECF No. 20-4, Bulcock Report at 13-14 (finding that Petitioner experiences "acute recurrence [of anxious type symptoms], including rapid heartbeat, difficulty breathing, and tightness in his chest, during the days leading up to an ICE check-in," "an inability to focus, and an inability to sleep").

Additionally, the balance of equities and public interest merge in this case, and weigh in Petitioner's favor, for the reasons explained in his motion. ECF No. 20-2, Mem. at 27-30. Respondents' invocation of a general intent to enforce this country's immigration laws does not change the analysis. *See, e.g., Make the Rd. v. Noem*, 2025 WL 3563313, at *32 (D.D.C. Nov. 22, 2025) (rejecting argument that stay order harmed government because the order only "maintain[ed] the status quo that . . . existed for decades" before the challenged action). And any interest Respondents have in "ensuring that individuals report to their removal proceedings as scheduled" is not advanced by imposing restrictions on liberty on people who would report to those proceedings without them, including people found by courts to not need surveillance to mitigate any purported risk of flight. ECF No. 21, Opp. at 3. The government "cannot suffer harm from an injunction that merely ends an unlawful practice or reads a statute as required to avoid constitutional concerns." *R.I.L.-R v. Johnson*, 80 F. Supp. 3d 164, 191 (D.D.C. 2015) (citation modified). Further, "[t]he public interest is served when administrative agencies comply with their obligations under the APA." *Northern Mariana Islands v. United States,* 686 F. Supp. 2d 7, 21 (D.D.C. 2009).

III. THE APPROPRIATE REMEDY IS A STAY OF THE PHILADELPHIA ICE SURVEILLANCE POLICY.

Because Petitioner satisfies the requirements for a stay under § 705 of the APA, the court should enter the policy-wide relief that section contemplates: it should "preliminarily set aside"

the Philadelphia ICE surveillance policy. *Trump v. CASA, Inc.*, 606 U.S. 831, 869 (2025) (Kavanaugh, J., concurring) (citation modified). Unlike an injunction, a § 705 stay "does not direct individuals to act or not to act"; a stay temporarily "suspend[s]" the legal effect of an agency action. *Make the Rd.*, 2025 WL 3563313, at *16 (quoting *Nken v. Holder*, 556 U.S. 418, 429 (2009)). Because a stay operates "directly" on the agency's action, it is not a "party-specific" remedy. *Id.* at *16, 36 (rejecting "argument that Section 705 stays must be confined to the plaintiffs before the court"); *Cabrera v. U.S. Department of Labor*, 792 F.Supp.3d 91, 106 (D.D.C. 2025) (collecting cases and recognizing that § 705's text empowers courts to "postpone the effective date of an agency action" and "permits courts to act directly on agency action" rather than merely issue "party-specific" injunctions).

A stay would preserve the status quo before Respondents implemented the Helland Memo, under which the Philadelphia ICE Field Office conducted an individualized analysis of a noncitizen's circumstances—including whether they had been ordered released without supervisory conditions by a court—before applying ankle monitors and other forms of surveillance. ECF No. 20-3, ICE ERO Statistics; ECF No. 20-3, ICE ATD Handbook; *see also* ECF No. 20-2, Mem. at 2-3 (explaining that the prior ATD policy required the Philadelphia ICE Field Office to consider individualized factors when determining the "level of supervision and technology participants are assigned" in ATD programming, including "current immigration status, criminal history, compliance history, community or family ties, caregiver or provider status, and other humanitarian or medical conditions.").

Though the Supreme Court has held that federal courts lack "the equitable authority to issue universal injunctions" under the "Judiciary Act of 1989," *CASA*, 606 U.S. at 837, "CASA does not control the scope of relief available under Section 705." *Make the Rd.*, 2025 WL 3563313,

at *34; *see CASA, Inc.*, 606 U.S. at 847 n.10; *id.* at 869 (Kavanaugh, J., concurring). Unlike the Judiciary Act, the APA expressly authorizes courts to "postpone the effective date of an agency action or to preserve status or rights pending conclusion of the review proceedings." 5 U.S.C. § 705. "If a court orders that an agency action shall not apply against certain individuals, but that the agency can apply that action against everyone else, *the* effective date of the action has not been postponed." *Make the Rd.*, 2025 WL 3563313, at *35. Indeed, stays are a "temporary form of vacatur," a final remedy that sets aside an agency rule as a whole and not just as to an individual plaintiff. *Id.* at *16; *see Nat'l Mining Ass'n v. U.S. Army Corps of Eng'rs*, 145 F.3d 1399, 1409 (D.C. Cir. 1998) ("[W]hen a reviewing court determines that agency regulations are unlawful, the ordinary result is that the rules are vacated—not that their application to the individual petitioners is proscribed.") (citation modified).

Here, a stay of the Philadelphia ICE surveillance policy is the appropriate remedy to preserve the status quo and prevent irreparable harm to Petitioner while the Court decides whether to permanently vacate the policy. Without policy-wide relief, the effective date of Respondents' action will not be postponed and they will continue to apply their unlawful policy of imposing arbitrary forms of surveillance—including ankle monitors and other onerous reporting conditions—to people under the jurisdiction of the Philadelphia ICE Field Office, including in violation of court release orders.

CONCLUSION

For these reasons, Petitioner requests that this Court stay the Philadelphia ICE surveillance policy.

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Dated: May 18, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed Petitioners' Reply using the CM/ECF system. I will furthermore send a courtesy copy via email to the office of the United States Attorney for the Eastern District of Pennsylvania.

DATED: May 18, 2026

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Exhibit 1

Declaration of Mikaela Wolf-Sorokin

I, Mikaela Wolf-Sorokin, do hereby declare under the penalty of perjury that the following is true and correct to the best of my knowledge and belief:

1. The facts set forth in this declaration are based on my personal knowledge, unless otherwise indicated, and, if called as a witness, I could and would testify thereto. I am over eighteen years of age and of sound mind to declare to the facts stated herein.

2. I am an immigration attorney in the Community Defense Unit at the Defender Association of Philadelphia. I provide *pro bono* representation to noncitizens detained in ICE custody before the Immigration Court, Board of Immigration Appeals, and Federal Courts.

3. On May 12, 2026 I accompanied one of my clients, "BK", to her scheduled ICE check in appointment at the Philadelphia ICE Field Office (114 N. 8th Street, Philadelphia, PA 19102). BK was scheduled for an appointment at the Compliance Assistance Reporting Terminal (CART).

4. BK entered the United States on November 14, 2023 to seek asylum and was released on her own recognizance from the border. She resides in Philadelphia with her United States citizen husband and three United States citizen children. BK's Order of Release on Recognizance imposed several conditions on BK including: (1) reporting for any hearings as directed by the Department of Homeland Security or the Executive Office for Immigration Review; (2) surrender for removal if so ordered; (3) report as indicated on the attached OREC G-56; (4) secure written permission before changing her address; (5) not violate any local, state or federal law or ordinances; and (6) assist the DHS in obtaining any necessary travel documents.

5. BK had complied with all requirements as explained in her order of release on recognizance. She had attended three previous ICE check-in appointments (including one on November 12, 2025). She is awaiting a hearing before the Philadelphia Immigration Court.

6. We arrived at the Philadelphia ICE office on May 12, 2026 at 10:55 am. We waited in line outside. Then ICE permitted us to enter and BK waited her turn to check in at the CART kiosk. She checked in at the kiosk and confirmed her phone number, address, and provided her finger prints. The kiosk printed a paper, which indicated that she had to speak with an ICE official.

7. I accompanied BK to the third floor where we waited in another line to speak to an agent. BK speaks a lot of English but is only fluent in Mandingo. The officer asked her to fill out a questionnaire. The questionnaire was not available in Mandingo. We filled out the questionnaire and confirmed her biographic information. The form asked if she had a foreign passport and we explained that requesting a passport from the Liberian government (her country of origin) would be contrary to her legal interests for her asylum case.

8. After we handed the paper back to an agent, the officer instructed us to wait. We waited for almost two hours. Around 12:45 pm, a different agent called us to the front desk and handed us a piece of paper with a map that had directions to the ISAP Office at 1015 Chestnut Street. He instructed us to go to that office within thirty minutes to enroll in the Alternatives to Detention (ATD) Program.

9. I asked the officer why my client was being enrolled in the ATD program and asked whether she would have future ICE check in appointments. The officer told me that the other office would probably be the ones to advise about future appointments and that she was being enrolled because she was waiting for a final order. I asked him whether the agents had conducted an individualized determination and considered the factors in the ICE policy manual. The officer asked me what factors. I mentioned that there were a number of factors that the officer was required to consider. He asked me what policy manual. I said the ICE policy manual for ISAP. This is known as the ICE ATD Handbook and is available online: https://www.ice.gov/doclib/foia/policy/handbookATD_08.16.2017.pdf. The officer said he had to check with his supervisor.

10. He went back and then came back to the front and said his supervisor is not aware of the factors I was referencing. I said that I was reading from the ICE website/manual and that it said ICE has to consider criminal history, compliance, humanitarian factors and family. I tried to make arguments about why those all weighed in my client's favor. I argued that my client did not have a criminal conviction, which weighed in her favor. I argued that my client had a full history of compliance with her immigration proceedings including filing for asylum and attending ICE check-ins. I argued that my client had a full history of compliance with the supervision requirements as she had never missed a check in. I argued that my client has extensive family and community ties, which weigh in her favor because her husband is a United States citizen and they have three United States citizen children. I argued that my client is a caregiver for her children, especially her son who is sick. I turned my computer screen towards him to show him the screen, which lists the factors for participant enrollment: https://www.ice.gov/features/atd.

11. The officer told me that they did conduct an individualized determination and the reason she is being enrolled in ISAP is because she is waiting for an immigration judge order and she lives in Philadelphia. My client has been in removal proceedings since her case was docketed on April 5, 2024, over two years ago. I asked if everyone was being enrolled in ISAP. He said "case by case" but she is because she is awaiting IJ order and lives in Philadelphia and this ISAP office governs Philadelphia.

12. I asked if his supervisor was aware of the policy manual and factors. He said he knew about them but there are changes in the policy and they are going in a different direction. I asked what changes. He said it is an internal policy. I asked for a copy of the document that contained these new changes and this internal policy. He said that he could not provide it to me. I asked again. He said that this was an amendment to the current policy and that this was an "addition" not necessarily a "change." The officer suggested that I email the ICE outreach email address. I asked if ICE would provide me a copy if I emailed and he said that he was not sure if ICE would provide it to me. I asked if I could

have a copy of the individualized determination for my client and he said no. He said this was an internal document. I asked if I filed a FOIA if they would give me a copy. He said he didn't know but it was an internal document.

13. I asked for the officer's name. He said ERA. I asked for the officer's last name. He said that ICE has a policy not to give out anyone's name. I asked if I googled "ERA" if his name would come up. He said he did not know, but maybe. I asked what supervisor he spoke with. He again said that he was not allowed to give name. I asked what job the supervisor had. He said "SDDO" which stands for Supervisory Detention and Deportation Officer. I asked if he checked with the Field Office Director or Acting Field Office Director and he said no. I asked again about the factors that were considered and he said the two reasons: she is being enrolled in Intensive Supervision Appearance Program ("ISAP") is that she is waiting for an Immigration Judge Order and lives in Philadelphia.

14. My client, BK, and I walked to the ISAP office. When we arrived, two other women who had been at the ICE office also came to the ISAP office with the same paperwork. There, we spoke with the receptionist. She said that ISAP cannot enroll BK today because ICE stops checking their email after 1 pm and ISAP needs ICE approval for the supervision plan. I asked if there was any way that we could do this today because my client already took the day off work. She said unfortunately no. She said she is supposed to schedule us to come back within 72 hours so she scheduled us to return on Thursday at 9:30 am.

15. I asked how things have been at the office. She said she is tired, and everyone is getting ankle monitors. She said previously it was just people without court and now it is everyone except people transferred from a different office. She said that it is especially people with hearings in 2027 and 2028 to advance. She said ISAP does not consider the factors but that it is up to ICE. She said she isn't sure if there is a change to the contract, but everyone is getting ankle monitors.

16. On May 14, 2026, BK reported again to the ISAP office, where she was outfitted with an ankle monitor and placed into the ISAP program.

/s/Mikaela Wolf-Sorokin
Mikaela Wolf-Sorokin

05/18/2026
Date