

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO

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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

KEENO KEENO NICHOLAS ROWE

Case No. 1:26-cv-01142

A# 

Petitioner,

v.

BEAU SNEDDON, Warden;

Butler County Jail;

KEVIN RAYCRAFT, Director, U.S.

Immigration

and Customs Enforcement and Removal

Operations ("ICE/ERO"), Detroit Field

Office; TODD LYONS, Acting

Director of U.S. Immigration and Customs

Enforcement ("ICE"); MARKWAYNE

MULLIN, Secretary of

U.S. Department of Homeland Security

("DHS");

TODD BLANCHE, Attorney General of

the United States,

FILED PRO SE

Respondents.

PETITIONER'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER, STAY OF
REMOVAL, AND PRELIMINARY INJUNCTION.

Petitioner respectfully requests that the Court grant his Emergency Motion for a Temporary Restraining Order, Stay of Removal, and Preliminary Injunction. The grounds for this motion are set forth in the accompanying memorandum of law, exhibits in support thereof, the Complaint, and the applicable law. A proposed order also accompanies this motion.

Dated: May 19, 2026

Respectfully submitted,



KEENO NICHOLAS ROWE
Butler County Jail
705 Hanover St.
Hamilton, OH 45011

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO

KEENO NICHOLAS ROWE

Case No. 1:26-cv-01142

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Petitioner,

v.

BEAU SNEDDON, Warden,

Butler County Jail;

KEVIN RAYCRAFT, Field Office

Director, U.S. Immigration

and Customs Enforcement and Removal

Operations ("ICE/ERO"), Detroit Field

Office; TODD LYONS, Acting

Director of U.S. Immigration and Customs

Enforcement ("ICE"); MARKWAYNE

MULLIN, Secretary of

U.S. Department of Homeland Security

("DHS");

TODD BLANCHE, Attorney General of

the United States,

FILED PRO SE

Respondents.

MEMORANDUM OF LAW IN SUPPORT OF PETITIONER'S EMERGENCY
MOTION FOR TEMPORARY RESTRAINING ORDER, STAY OF REMOVAL, AND
PRELIMINARY INJUNCTION

I. PRELIMINARY STATEMENT

Petitioner Keenō Nicholas Rowe ("Petitioner") respectfully moves this Court for a Temporary Restraining Order, Stay of Removal, and Preliminary Injunction pending adjudication of his Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241.

Petitioner seeks emergency relief preserving the status quo and preventing Respondents from taking actions toward effectuating removal or otherwise impairing this Court's ability to provide meaningful habeas relief while the instant proceedings remain pending.

Petitioner is presently detained at Butler County Jail in Hamilton, Ohio and is currently scheduled for an Individual Hearing before the Immigration Court on May 28, 2026. Petitioner seeks VAWA Cancellation of Removal and has already received a prima facie determination under VAWA from USCIS, reflecting that his humanitarian claims are neither speculative nor frivolous. Nevertheless, Petitioner's counsel has been unable to adequately prepare the case due to extraordinary detention barriers, inability to establish meaningful attorney-client communication, inability to complete a critical psychological evaluation, prolonged lockdown conditions, and restrictions on legal access.

Petitioner's habeas petition challenges the constitutionality of his continued detention, the fundamentally deficient bond proceedings, and ongoing due process violations arising from restrictions substantially impairing preparation of his VAWA case. Petitioner alleges that the Immigration Judge improperly denied bond after allegedly finding danger to the community based primarily on a nonviolent offense while failing to meaningfully consider substantial favorable equities, including Petitioner's prima facie VAWA determination, rehabilitation, eligibility for adjustment, humanitarian considerations, and alternatives to detention.

Absent emergency intervention, Petitioner faces immediate and irreparable harm because the upcoming Individual Hearing may proceed before Petitioner's counsel is able to adequately prepare the VAWA Cancellation claim or complete critical evidence.

II. FACTUAL BACKGROUND

Petitioner is a twenty-seven-year-old native and citizen of Jamaica who entered the United States with a B-2 visa on February 26, 2021. Prior to detention, Petitioner resided in Schenectady, New York.

On March 11, 2026, DHS issued a Notice to Appear charging Petitioner as removable under INA § 237(a)(1)(B), and ICE took Petitioner into custody. Petitioner remains detained at Butler County Jail.

Petitioner seeks VAWA Cancellation of Removal and has already received a prima facie determination from USCIS regarding the underlying VAWA claim. Upon approval, Petitioner may pursue adjustment of status and therefore possesses a realistic pathway toward lawful permanent residence.

Petitioner is presently scheduled for an Individual Hearing on May 28, 2026. Petitioner's counsel moved to continue proceedings because meaningful preparation has become nearly impossible due to detention conditions and attorney access restrictions. Petitioner's counsel repeatedly attempted to locate and communicate with Petitioner but was unable to establish sufficient attorney-client communication necessary to prepare the case, gather evidence, or coordinate the psychological evaluation critical to the VAWA claim.

Petitioner reportedly experiences lockdown conditions approximating twenty hours per day. Petitioner's counsel contacted ICE seeking assistance and was redirected to Butler County Jail. Petitioner's counsel was informed legal calls and video legal visits were not permitted, leaving counsel unable to adequately prepare the case.

The psychological evaluation remains incomplete despite diligent efforts and constitutes critical corroborating evidence addressing trauma and abuse relevant to Petitioner's VAWA Cancellation claim.

III. PETITIONER WILL SUFFER IRREPARABLE HARM ABSENT EMERGENCY RELIEF

Petitioner satisfies the irreparable harm requirement. First, Petitioner remains subject to ongoing civil detention under circumstances challenged as constitutionally deficient in the pending habeas proceedings. Freedom from bodily restraint constitutes one of the most fundamental liberty interests protected by the Fifth Amendment. *See Zadvydas v. Davis*, 533 U.S. 678, 690-93 (2001); *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004).

Second, Petitioner faces imminent and irreparable prejudice because the Individual Hearing is scheduled for May 28, 2026, while critical preparation remains incomplete. Petitioner's counsel has been unable to establish meaningful attorney-client communication, complete the required psychological evaluation, or adequately prepare the VAWA Cancellation claim due to detention restrictions beyond Petitioner's control.

Preparation of VAWA-based relief requires extensive factual development, corroborating evidence, witness preparation, and trauma documentation. Proceeding to an Individual Hearing without this evidence would substantially prejudice Petitioner and impair his ability to meaningfully present humanitarian relief.

Third, continued detention conditions substantially interfere with Petitioner's right to meaningful preparation and attorney access. Petitioner's counsel sought assistance through ICE

and was redirected to Butler County Jail where legal calls and video legal visits were reportedly unavailable. These barriers have materially impaired preparation of the case.

The inability to adequately communicate with detained individuals prior to an Individual Hearing raises serious due process concerns. *See Huicochea-Gomez v. INS*, 237 F.3d 696, 699 (6th Cir. 2001); *Biwoi v. Gonzales*, 403 F.3d 1094, 1099 (9th Cir. 2005).

Fourth, absent emergency relief, Respondents may proceed toward actions affecting Petitioner's custody or immigration posture before this Court adjudicates the pending habeas claims, impairing this Court's ability to provide meaningful relief.

The requested TRO merely preserves the status quo pending adjudication of the habeas petition.

IV. PETITIONER IS LIKELY TO SUCCEED ON THE MERITS

Petitioner is likely to succeed because the habeas petition presents substantial constitutional claims. Petitioner challenges continued detention arising from fundamentally deficient bond proceedings where the Immigration Judge allegedly elevated a nonviolent offense above all other favorable equities and failed to meaningfully consider Petitioner's prima facie VAWA determination, rehabilitation, eligibility for adjustment of status, humanitarian considerations, and alternatives to detention.

The Fifth Amendment applies to all persons physically present within the United States and requires meaningful due process protections. *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

Petitioner also alleges violations arising from inability to meaningfully communicate with counsel and prepare VAWA relief. Due process requires a meaningful opportunity to be heard at a meaningful time and in a meaningful manner. *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976).

The Sixth Circuit recognizes constitutional limitations on immigration detention. *See Ly v. Hansen*, 351 F.3d 263, 270–71 (6th Cir. 2003). Federal courts retain authority to remedy unconstitutional detention through habeas proceedings.

V. BALANCE OF EQUITIES AND PUBLIC INTEREST FAVOR RELIEF

The requested TRO is temporary and narrowly tailored. Petitioner seeks only preservation of the status quo pending adjudication of the habeas petition and completion of critical preparation necessary for the VAWA proceedings.

Respondents suffer little or no prejudice from preserving the status quo. By contrast, Petitioner risks proceeding to an Individual Hearing without critical evidence, without meaningful attorney preparation, and without completion of the trauma evaluation central to the VAWA claim.

The public interest strongly favors fair proceedings, meaningful access to counsel, and constitutional administration of immigration laws.

No security bond should be required under Rule 65(e) because Petitioner is indigent, civilly detained, and the requested relief merely preserves the status quo.

VI. CONCLUSION

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant Petitioner's Emergency Motion for Temporary Restraining Order, Stay of Removal, and Preliminary Injunction;
2. Preserve the status quo pending adjudication of the Petition for Writ of Habeas Corpus;
3. Temporarily restrain Respondents from effectuating Petitioner's removal from the United States pending further Order of this Court;
4. Temporarily restrain Respondents from transferring Petitioner outside Butler County Jail or to another detention facility without prior notice to Petitioner's counsel;
5. Order Respondents to provide Petitioner with no less than seventy-two (72) hours written notice prior to any custodial transfer, movement, or relocation of Petitioner outside Butler County Jail;
6. Order Respondents to maintain Petitioner in a facility where meaningful attorney-client communication, legal calls, and legal access may occur;
7. Preserve Petitioner's ability to meaningfully prepare and present his VAWA Cancellation of Removal claim and complete the pending psychological evaluation necessary to support the claim;
8. Grant such further relief as this Court deems just and proper.

Dated: May 19, 2026

Respectfully submitted,



KEENO NICHOLAS ROWE
Butler County Jail
705 Hanover St.
Hamilton, OH 45011

**UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO**

KEENO NICHOLAS ROWE A#  Petitioner, BEAU SNEDDON, Warden, Butler County Jail, et al., Respondents. Respondents.	Case No. 1:26-cv-01142
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[PROPOSED] ORDER

Upon consideration of Petitioner's Emergency Motion for Temporary Restraining Order, Stay of Removal, and Preliminary Injunction, the Memorandum of Law in Support thereof, the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, and all supporting exhibits attached thereto, the Court finds that emergency relief is warranted to preserve the status quo pending adjudication of the habeas proceedings.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's Emergency Motion for Temporary Restraining Order, Stay of Removal, and Preliminary Injunction is GRANTED.
2. Pending adjudication of the Petition for Writ of Habeas Corpus, Respondents are hereby TEMPORARILY RESTRAINED from removing Petitioner, Keeno Nicholas Rowe, A#  from the United States.
3. Respondents shall preserve the status quo pending further Order of this Court.
4. Respondents shall provide Petitioner and counsel with no less than seventy-two (72) hours written notice prior to any custodial transfer, relocation, or movement of Petitioner outside Butler County Jail.
5. Respondents are TEMPORARILY RESTRAINED from transferring Petitioner outside Butler County Jail absent advance notice to counsel and further Order of this Court.

6. Respondents shall ensure Petitioner is afforded meaningful attorney access and communication necessary to prepare the pending immigration proceedings and VAWA Cancellation of Removal claim.
7. Respondents shall permit attorney-client communication sufficient to facilitate preparation of the pending psychological evaluation and development of evidence relevant to Petitioner's VAWA-based claims.
8. No security bond shall be required pursuant to Federal Rule of Civil Procedure 65(c), as Petitioner is indigent, civilly detained, and the requested relief merely preserves the status quo pending adjudication of the habeas petition.
9. The Court retains jurisdiction to modify this Order as necessary.

IT IS SO ORDERED.

DATED: _____

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
THE SOUTHERN DISTRICT OF OHIO

KEENO NICHOLAS ROWE A#  Petitioner, BEAU SNEDDON, Warden, Butler County Jail, et al., Respondents. Respondents.	Case No. 1:26-cv-01142 Exhibit Index
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PETITIONER'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER, STAY OF REMOVAL, AND PRELIMINARY INJUNCTION

EXHIBIT	DESCRIPTION
A.	Emergency Motion to Continue

Respectfully submitted,



KEENO NICHOLAS ROWE
Butler County Jail
705 Hanover St.
Hamilton, OH 45011

Dated: May 19, 2026

A

Grace E. Marciano, Esq.
Marciano Legal, LLC
2713 Playuela
Aguadilla, PR 00603

DETAINED

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
CLEVELAND, OH

In the Matter of:

ROWE, KEENO NICHOLAS

Respondent

In REMOVAL Proceedings

File No.: A



Immigration Judge: Hon. Brandon Kennedy

Individual Hearing Date: May 29, 2026

EMERGENCY MOTION TO CONTINUE INDIVIDUAL HEARING

COMES NOW, Respondent, Keeno Nicholas Rowe, by and through undersigned counsel, and respectfully moves this Honorable Court to continue the Individual Hearing currently scheduled for May 28, 2026, for a period of fifteen (15) days, or to the next available date thereafter. Good cause exists pursuant to 8 C.F.R. § 1003.29 due to Respondent's detention conditions, counsel's inability to establish meaningful attorney-client communication, pending federal habeas proceedings before the United States District Court, Respondent's pending VAWA Cancellation of Removal, Respondent's prima facie VAWA determination, and counsel's inability to complete a psychological evaluation imperative to the success of Respondent's case and presentation of relief before this Court.

In support thereof, Respondent states as follows:

I. EFFORTS TO CONTACT DHS/OPLA

1. Prior to filing this Motion to Continue, undersigned counsel made multiple attempts to contact the Department of Homeland Security (DHS) Office of the Principal Legal Advisor (OPLA) to seek an unopposed motion or to determine whether DHS would join this request.
2. Counsel made several phone calls to DHS/OPLA, none of which were answered or otherwise responded to. The lack of opposition from DHS weighs in favor of granting this motion. *Matter of Hashmi*, 24 I&N Dec. 785, 790 (BIA 2009) (identifying DHS's response as a key factor in assessing good cause for continuance).

II. GOOD CAUSE EXISTS FOR CONTINUANCE

3. Respondent is currently detained and has an Individual Hearing scheduled before this Court on May 28, 2026.
4. Undersigned counsel has made repeated attempts to locate and communicate with Respondent in preparation for the upcoming Individual Hearing. However, counsel has been unable to establish meaningful attorney-client communication necessary to prepare Respondent's claims for relief, gather evidence, and adequately prepare the case for hearing.
5. Despite multiple efforts, counsel has been unable to reach Respondent sufficiently to prepare the case or coordinate the evidence necessary for the upcoming Individual Hearing.
6. Additionally, Respondent does not appear in the ICE Online Detainee Locator System, substantially impairing counsel's ability to determine Respondent's whereabouts and facilitate communication.
7. Compounding these issues, Respondent has reportedly been subjected to daily lockdowns lasting approximately twenty (20) hours per day, making meaningful communication nearly impossible and severely limiting attorney access. The prolonged lockdown conditions have significantly impaired counsel's ability to prepare Respondent's case.
8. Counsel also sought assistance through ICE in an effort to facilitate communication and obtain access to Respondent for preparation of the upcoming Individual Hearing. However, ICE redirected counsel to the Butler County Sheriff's Office for purposes of arranging access and communication with Respondent; See Exhibit A, Email Communications Between ICE and Respondent's Counsel.
9. Counsel contacted the Butler County facility and was informed that legal calls and video legal visits were not permitted. Consequently, counsel remains unable to establish

meaningful communication with Respondent. These continued barriers to attorney access have prevented adequate preparation of Respondent's case and completion of critical evidence gathering.

10. Significantly, counsel has been unable to conduct a psychological evaluation that is imperative to the success of Respondent's case. Due to the inability to establish adequate communication with Respondent and the severe detention restrictions presently in place, counsel has been unable to coordinate or complete the evaluation despite diligent efforts.
11. The psychological evaluation constitutes critical evidence relevant to Respondent's VAWA Cancellation of Removal claim, including trauma evidence and the psychological impact associated with the abuse underlying Respondent's VAWA case. Proceeding without this evaluation would substantially prejudice Respondent and impair his ability to fully present his claims.
12. Additionally, counsel requested information regarding the assigned Deportation Officer and requested consideration of transfer to a facility where counsel may adequately communicate with and access Respondent. These issues remain unresolved.
13. Moreover, Respondent presently has a pending federal habeas corpus action before the United States District Court challenging aspects of his detention and seeking relief related thereto. See Exhibit B, Federal Habeas Docket Reflecting Pending Proceedings.
14. Should relief be granted in the federal matter, Respondent's release or transfer would materially alter the present circumstances and facilitate communication, preparation, completion of evaluations, and case development.
15. Importantly, Respondent has been detained for less than three (3) months, and this is Respondent's first request for a continuance. This request is therefore limited and narrowly

tailored, seeking only a brief fifteen-day continuance to permit adequate communication, completion of the psychological evaluation, and meaningful preparation for the Individual Hearing.

16. These circumstances establish good cause pursuant to 8 C.F.R. 1003.29.

III. RESPONDENT'S PRIMA FACIE VAWA DETERMINATION AND PENDING VAWA CANCELLATION OF REMOVAL FURTHER SUPPORT GOOD CAUSE

17. Respondent is presently pursuing VAWA Cancellation of Removal before this Court and has already received a prima facie determination in connection with the underlying VAWA petition. See Exhibit C, USCIS Prima Facie Determination for VAWA.

18. While a prima facie determination does not constitute final approval, it reflects USCIS's preliminary finding that Respondent submitted sufficient evidence establishing eligibility under the Violence Against Women Act and demonstrates that Respondent's claims are neither speculative nor frivolous.

19. The pending VAWA-based relief materially affects these proceedings because Respondent seeks relief requiring substantial factual development and corroborating evidence relating to abuse, trauma, hardship, and equitable considerations.

20. The psychological evaluation remains particularly significant because it is expected to address trauma-related evidence and psychological effects arising from the abuse underlying Respondent's VAWA claims and therefore constitutes critical corroborating evidence in support of VAWA Cancellation of Removal.

21. However, due to Respondent's detention conditions, inability to establish communication, prolonged lockdown periods, and restricted attorney access, counsel has been unable to coordinate or complete this evaluation despite diligent efforts.
22. Respondent's inability to participate in the evaluation process arises not from any lack of diligence but from circumstances outside Respondent's control.
23. The Attorney General has recognized that Immigration Judges should evaluate whether collateral matters may materially affect removal proceedings and whether continuances promote fairness and efficiency. *Matter of L-A-B-R*, 27 I&N Dec. 405, 413 (A.G. 2018).
24. Likewise, Immigration Judges should consider the viability of underlying relief and procedural factors when evaluating continuances. *Matter of Hashmi*, 24 I&N Dec. 785, 790 (BIA 2009).
25. Here, Respondent presents more than speculative relief. Respondent already possesses a prima facie VAWA determination, seeks VAWA Cancellation of Removal, has pending federal habeas proceedings affecting detention and attorney access, and seeks only a short continuance necessary to complete critical evidence and ensure due process.
26. The interests of fairness and judicial economy weigh strongly in favor of granting the requested continuance rather than requiring Respondent to proceed to an Individual Hearing without critical trauma evidence and without adequate preparation of the VAWA claim.

IV. DUE PROCESS REQUIRES A CONTINUANCE

27. Noncitizens in removal proceedings are entitled to due process protections under the Fifth Amendment, including a meaningful opportunity to be heard and present evidence. *Reno v. Flores*, 507 U.S. 292, 306 (1993).
28. The inability to communicate with detained individuals prior to an Individual Hearing raises serious constitutional concerns. Noncitizens in removal proceedings are entitled to a full and fair hearing. *Huitcochea-Gomez v. INS*, 237 F.3d 696, 699 (6th Cir. 2001).
29. Courts have also recognized that interference with meaningful attorney access may substantially prejudice respondents and undermine the fairness of proceedings. *Leslie v. Atty. Gen. of U.S.*, 611 F.3d 171, 181 (3d Cir. 2010); see also *Biwor v. Gonzales*, 403 F.3d 1094, 1099 (9th Cir. 2005).
30. The present circumstances are particularly concerning because counsel actively sought access through ICE channels and was redirected back to the detention facility despite the ongoing inability to communicate with Respondent. Counsel's attempts to arrange access were unsuccessful after the facility advised that legal calls and video legal visits were not permitted.
31. The continued lack of attorney access immediately preceding an Individual Hearing substantially impairs Respondent's ability to prepare his case and raises serious due process concerns, particularly where critical evidence remains outstanding and attorney-client communication has been effectively impeded by detention conditions.
32. Likewise, continuances are appropriate where additional time is required to obtain evidence necessary to pursue relief and counsel demonstrates diligent efforts toward preparation. *Matter of Sibrin*, 18 I&N Dec. 354, 356-57 (BIA 1983).

33. Respondent has exercised diligence. Counsel repeatedly attempted to locate Respondent, establish communication, coordinate preparation, obtain the psychological evaluation, seek ICE assistance, and secure access through available channels.

34. Proceeding under the current circumstances risks substantial prejudice and deprives Respondent of a meaningful opportunity to present evidence essential to his claims.

V. RESPONDENT HAS ACTED DILIGENTLY AND THIS IS THE FIRST REQUEST FOR CONTINUANCE

35. Respondent has acted diligently and intends to fully pursue relief before this Court.

36. This request is not made for delay. Rather, it results from circumstances outside Respondent's control, including detention conditions, inability to establish attorney-client communication, inability to locate Respondent through ICE systems, restricted access at the detention facility, pending federal litigation, and inability to complete critical evidence.

37. Importantly, Respondent has been detained for less than three months and no prior continuances have been requested.

38. Respondent seeks only a brief fifteen-day continuance to permit counsel sufficient time to communicate with Respondent, complete the necessary psychological evaluation, and ensure meaningful preparation and participation in proceedings.

VI. NO PREJUDICE TO DHS

39. Granting this continuance would not prejudice DHS.

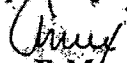
40. Rather, it would promote fairness, efficiency, and judicial economy by allowing adequate preparation while the federal habeas proceedings remain pending and while counsel attempts to secure meaningful access to Respondent.

41. Denying the continuance would force Respondent to proceed to an Individual Hearing without completed psychological evidence, without meaningful communication with counsel, and without adequate preparation of the VAWA Cancellation claim.

WHEREFORE, Respondent respectfully requests that this Honorable Court continue the Individual Hearing currently scheduled for May 28, 2026, for a period of fifteen (15) days; permit Respondent additional time to establish meaningful communication with counsel and complete the psychological evaluation necessary for preparation of the VAWA Cancellation of Removal claim; allow time for developments in the pending federal habeas proceedings and completion of evidence related to Respondent's VAWA-based claims; and grant such other and further relief as this Court deems just and proper.

Dated: May 19, 2026

Respectfully submitted,


Grace E. Marciano, Esq.
Counsel for Respondent

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of **EMERGENCY MOTION TO CONTINUE INDIVIDUAL HEARING**, it is **HEREBY ORDERED** that the motion be ☐ **GRANTED** ☐ **DENIED** because:

- ☐ DHS does not oppose the motion.
- ☐ The Respondent does not oppose the motion.
- ☐ A response to the motion has not been filed with the court.
- ☐ Good cause has been established for the motion.
- ☐ The Court agrees with the reasons stated in the opposition to the motion.
- ☐ The motion is untimely per _____
- ☐ Other: _____

Deadlines:

- ☐ The application(s) for relief must be filed by _____
- ☐ The Respondent must comply with DHS biometrics instructions by _____

Date

Immigration Judge

CERTIFICATE OF SERVICE

This document was served by: ☐ Mail ☐ Personal Service

To: ☐ Alien ☐ Alien c/o Custodial Officer ☐ Alien's Atty/Rep ☐ DHS

Date: _____

By Court Staff: _____

A

5/19/26, 12:00 PM

Sent Items - Grace Marciano - Outlook



Urgent Request for Deportation Officer Contact Information -- A# [REDACTED]

From Grace Marciano <grace@marcanolegal.com>

Date Fri 5/15/2026 10:49 AM

To Detroit.Outreach@ice.dhs.gov <Detroit.Outreach@ice.dhs.gov>

1 attachment (510 KB)
E28 ROWE, Keeno.pdf;

Dear Officer,

I represent Mr. Keeno Nicholas Rowe, A# [REDACTED], as counsel of record in his immigration proceedings. Mr. Rowe currently has a scheduled Individual Hearing on May 28, 2026.

I am writing to request the contact information for the assigned Deportation Officer in this matter. Despite multiple attempts, I have been unable to reach Mr. Rowe in order to adequately prepare his case and arrange for a psychological evaluation that is relevant to the substantive relief being pursued before the Immigration Court.

Additionally, Mr. Rowe does not appear in the ICE Online Detainee Locator System, which has further impaired counsel's ability to locate and communicate with him. At this time, counsel has been unable to establish meaningful attorney-client communication necessary to prepare for the upcoming Individual Hearing. Furthermore, Mr. Rowe has been subject to daily inhumane lockdowns that last at least 20 hours, rendering any sort of communication with him impossible.

Accordingly, I also respectfully request that ICE consider transferring Mr. Rowe to a facility where counsel is able to adequately communicate with and access the client in preparation for proceedings. The inability to communicate with detained counsel prior to an Individual Hearing raises serious due process concerns and substantially prejudices Respondent's ability to present his case. See *Reno v. Flores*, 507 U.S. 292, 306 (1993) (recognizing that noncitizens in removal proceedings are entitled to due process protections under the Fifth Amendment); see also *Orantes-Hernandez v. Thornburgh*, 919 F.2d 549 (9th Cir. 1990) (recognizing the importance of meaningful access to counsel in immigration proceedings).

Given the upcoming hearing date, access to communication with my client is urgent to ensure adequate preparation of his case and protection of his due process rights.

Please find attached a copy of my Form E-28 for your reference.

Thank you for your attention to this matter.

Grace E. Marciano, Esq.

5/19/26, 12:00 PM

Sent Items - Grace Marcano - Outlook

Grace Marcano-González Esq. | Founder
Immigration Attorney | Abogada de Inmigración
786-314-7330 | grace@marcanolegal.com



MARCANO LEGAL
AN IMMIGRATION LAW FIRM



AMERICAN
IMMIGRATION
LAWYERS
ASSOCIATION

Licensed attorney in good standing, Immigration and Naturalization practice, 2025 member of the American Immigration Lawyers Association (AILA).

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The sender has requested a read receipt. If you do not wish to provide one, [click here](#).

5/19/26, 9:57 AM

Mail - Grace Marcano - Outlook



RE: Corrected Urgent Request for Deportation Officer Contact Information – A# 

From: Whitman, Nicholas E <Nicholas.E.Whitman@ice.dhs.gov>

Date: Mon 5/18/2026 4:02 PM

To: Grace Marcano <grace@marcanolegal.com>

Good afternoon,

You will have to contact the Butler County Jail to inquire about visitation schedules for attorneys.

Respectfully,

Nicholas Whitman

Supervisory Detention and Deportation Officer, Detained Case Management
ICE Enforcement and Removal Operations
Detroit Field Office, Columbus, OH Sub-Office
c: 443-934-4844

This communication is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this communication should be furnished to the media, either in written or verbal form.

From: Detroit Outreach <Detroit.Outreach@ice.dhs.gov>

Sent: Sunday, May 17, 2026 11:29 AM

To: CFO-CLM-DETAINED <CFO-CLM-DETAINED-SG-ME@ICE.DHS.GOV>

Subject: FW: Corrected Urgent Request for Deportation Officer Contact Information – A# 

From: Grace Marcano <grace@marcanolegal.com>

Sent: Friday, May 15, 2026 11:41 AM

To: Detroit Outreach <Detroit.Outreach@ice.dhs.gov>

Subject: Corrected Urgent Request for Deportation Officer Contact Information – A# 

You don't often get email from grace@marcanolegal.com. Learn why this is important

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Dear Officer,

I represent Mr. Keeno Nicholas Rowe, A# , as counsel of record in his immigration proceedings. Mr. Rowe currently has a scheduled Individual Hearing on May 28, 2026.

5/19/26, 9:57 AM

Mail - Grace Marcano - Outlook

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Accordingly, I also respectfully request that ICE consider transferring Mr. Rowe to a facility where counsel is able to adequately communicate with and access the client in preparation for proceedings. The inability to communicate with detained counsel prior to an Individual Hearing raises serious due process concerns and substantially prejudices Respondent's ability to present his case. See *Reno v. Flores*, 507 U.S. 292, 306 (1993) (recognizing that noncitizens in removal proceedings are entitled to due process protections under the Fifth Amendment); see also *Orantes-Hernandez v. Thornburgh*, 919 F.2d 549 (9th Cir. 1990) (recognizing the importance of meaningful access to counsel in immigration proceedings).

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Please find attached a copy of my Form E-28 for your reference.

Thank you for your attention to this matter.

Grace E. Marcano, Esq.

Grace Marcano-González Esq. | Founder

Immigration Attorney | Abogada de Inmigración

786-314-7330 | grace@marcanolegal.com



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ASSOCIATION

Licensed attorney in good standing. Immigration and Naturalization practice. 2025 member of the American Immigration Lawyers Association (AILA).

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5/19/26, 9:44 AM

Mail - Grace Marcano - Outlook



Re: Corrected Urgent Request for Deportation Officer Contact Information - A

From Grace Marcano <grace@marcanolegal.com>
Date Mon 5/18/2026 4:11 PM
To Whitman, Nicholas E <Nicholas.E.Whitman@ice.dhs.gov>

Good afternoon,

I contacted Butler County Jail regarding attorney visitation procedures and was informed that legal telephone calls and video legal calls are not permitted.

The inability of detained individuals to communicate with counsel through legal calls significantly impairs attorney-client communication and preparation of legal matters. In this case, counsel has been unable to adequately communicate with and prepare the detainee for his upcoming proceedings due to these restrictions.

The denial of meaningful access to counsel raises serious due process concerns, particularly where detention conditions interfere with the preparation and presentation of relief before the Immigration Court and access to legal representation.

Please advise whether alternative arrangements can be made to ensure adequate attorney-client communication since the detained is under ICE custody and not the Butler's Sheriff's Office.

Thank you,

Grace Marcano-González, Esq.
Founder | Immigration Attorney
Abogada de Inmigración

P: 786-314-7330
E: grace@marcanolegal.com
W: www.marcanolegal.com

Member - AILA 2025
Marcano Legal, LLC

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13

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5/19/26, 9:44 AM

Mail - Grace Marciano - Outlook

From: Whitman, Nicholas E <Nicholas.E.Whitman@ice.dhs.gov>
Sent: Monday, May 18, 2026 4:02:06 PM
To: Grace Marciano <grace@marcanolegal.com>
Subject: RE: Corrected Urgent Request for Deportation Officer Contact Information - A# [REDACTED]

Good afternoon,

You will have to contact the Butler County jail to inquire about visitation schedules for attorneys.

Respectfully,

Nicholas Whitman

Supervisory Detention and Deportation Officer, Detained Case Management
ICE Enforcement and Removal Operations
Detroit Field Office, Columbus, OH Sub-Office
o: 443-934-4844

This communication is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public or other personnel who do not have a valid "need-to-know" without prior approval of an authorized DHS official. No portion of this communication should be furnished to the media, either in written or verbal form.

From: Detroit Outreach <Detroit.Outreach@ice.dhs.gov>
Sent: Sunday, May 17, 2026 11:29 AM
To: CFO-CLM-DETAINED <CFO-CLM-DETAINED-SG-ME@ICE.DHS.GOV>
Subject: FW: Corrected Urgent Request for Deportation Officer Contact Information - A# [REDACTED]

From: Grace Marciano <grace@marcanolegal.com>
Sent: Friday, May 15, 2026 11:41 AM
To: Detroit Outreach <Detroit.Outreach@ice.dhs.gov>
Subject: Corrected Urgent Request for Deportation Officer Contact Information - A# [REDACTED]

You don't often get email from grace@marcanolegal.com. Learn why this is important

CAUTION: This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Confense Report Phishing button to report. If the button is not present, click [here](#) and follow instructions.

Dear Officer,

I represent Mr. Keeno Nicholas Rowe, A# [REDACTED] as counsel of record in his immigration proceedings. Mr. Rowe currently has a scheduled Individual Hearing on May 28, 2026.

I am writing to request the contact information for the assigned Deportation Officer in this matter. Despite multiple attempts, I have been unable to reach Mr. Rowe in order to adequately prepare his case and arrange for a psychological evaluation that is relevant to the substantive relief being pursued before the Immigration Court.

5/19/26, 9:44 AM

Mail - Grace Marcano - Outlook

Additionally, Mr. Rowe does not appear in the ICE Online Detainee Locator System, which has further impaired counsel's ability to locate and communicate with him. At this time, counsel has been unable to establish meaningful attorney-client communication necessary to prepare for the upcoming Individual Hearing. Furthermore, Mr. Rowe has been subject to daily inhumane lockdowns that last at least 20 hours, rendering any sort of communication with him impossible.

Accordingly, I also respectfully request that ICE consider transferring Mr. Rowe to a facility where counsel is able to adequately communicate with and access the client in preparation for proceedings. The inability to communicate with detained counsel prior to an Individual Hearing raises serious due process concerns and substantially prejudices Respondent's ability to present his case. See *Reno v. Flores*, 507 U.S. 292, 306 (1993) (recognizing that noncitizens in removal proceedings are entitled to due process protections under the Fifth Amendment); see also *Orantes-Hernandez v. Thornburgh*, 919 F.2d 549 (9th Cir. 1990) (recognizing the importance of meaningful access to counsel in immigration proceedings).

Given the upcoming hearing date, access to communication with my client is urgent to ensure adequate preparation of his case and protection of his due process rights.

Please find attached a copy of my Form E-28 for your reference.

Thank you for your attention to this matter.

Grace E. Marcano, Esq.

Grace Marcano-González Esq. | Founder

Immigration Attorney | Abogada de Inmigración

786-314-7330 | grace@marcanolegal.com



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B

D

ROWE, KEENO NICHOLAS

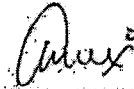
A-Number



CERTIFICATE OF SERVICE

This is to certify that I have on this date served opposing counsel in the within and foregoing matter with a copy of the within and foregoing "Emergency Motion to Continue Individual Hearing" via ECAS delivery to the DHS Chief Counsel.

Dated: May 19, 2026.

A handwritten signature in cursive script, appearing to read "Grace E. Marciano".

Grace E. Marciano, Esq.
MARCANO LEGAL, LLC
2713 Playuela
Aguadilla, PR 00603
786-314-7330