

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WILLIAM ENRIQUE SANCHEZ ALFARO,
: 26-cv-766
: (GRB)
Petitioner,
: United States Courthouse
-against- Central Islip, New York
ALMODOVAR, et al.,
: February 25, 2026
Respondents. 1:30 p.m.
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TRANSCRIPT OF EVIDENTIARY HEARING
BEFORE THE HONORABLE GARY R. BROWN
UNITED STATES DISTRICT COURT JUDGE

APPEARANCES:

For the Petitioner: CHARTRISSE A ADLAM, ESQ.
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Proceedings recorded by mechanical stenography.
Transcript produced by CAT.

1 THE CLERK: Calling case civil 26-766, Sanchez
2 Alfaro versus Almodovar.

3 Counsel please state your appearance for the
4 record.

5 MS. ADLAM: Chartrisse Adlam for the petitioner,
6 Your Honor.

7 Good afternoon, your Honor.

8 THE COURT: Good afternoon.

9 And the petitioner's here?

10 MS. ADLAM: Yes.

11 THE COURT: And we have a court interpreter who
12 we'll swear in.

13 Why don't you stand up, sir.

14 (Interpreter sworn.)

15 THE COURT: Thank you. Have a seat.

16 Counsel.

17 MR. PRICE: Good afternoon, Your Honor.

18 Thomas Price, Assistant United States Attorney,
19 on behalf of respondents.

20 THE COURT: Very good, Mr. Price.

21 We are here for a hearing. Mr. Price, are you
22 ready to call your first witness?

23 MR. PRICE: Yes, Your Honor.

24 Do you want the other witnesses to remain out of
25 the courtroom during testimony?

1 THE COURT: That's up to you all.

2 Counsel, do you want me to invoke the rule here
3 and exclude all witnesses? Or do you not care?

4 MS. ADLAM: You can exclude other witnesses,
5 Your Honor.

6 THE COURT: Okay.

7 Why don't you have the other witnesses step out,
8 please. They can use the witness rooms on either side of
9 the outside the door.

10 (There was a pause in the proceedings.)

11 MR. PRICE: Your Honor, I call deportation
12 officer Jason Mascia, M-A-S-C-I-A.

13 THE COURT: All right.

14 Officer, step right up to the witness stand and
15 remain standing while you are sworn in and then you can
16 have a seat and testify.

17 THE CLERK: Please raise your right hand.

18 **JASON MASCIA,**

19 having been duly sworn, testified as follows:

20 THE CLERK: Please be seated.

21 State your name and spell your last name for the
22 record.

23 THE WITNESS: My name is Jason Mascia, that's
24 M-A-S-C-I-A.

25 THE COURT: All right.

Mascia - Direct/Price

4

1 Counsel, you may proceed.

2 DIRECT EXAMINATION

3 BY MR. PRICE:

4 Q. Mr. Mascia, good morning.

5 You work for ICE, is that correct?

6 A. Yes.

7 Q. What's your position or title with ICE?

8 A. I'm a deportation officer with ICE in New York
9 City -- well, Long Island, sub-office.

10 Q. How long have you been in that position?

11 A. So I have been with ICE since 2012.

12 I have been a deportation officer since 2015.

13 Q. Did you participate in the stop and arrest of the
14 petitioner, Mr. Sanchez Alfaro?

15 A. Yes.

16 Q. And that was on February 6, 2026?

17 A. Yes.

18 Q. What was your assignment that morning on February 6?

19 A. So we were targeting another subject, actually --
20 essentially we were assigned to apprehend somebody who was
21 post order.

22 So they were ordered removed. Their BIA appeal
23 was dismissed. The motion to reopen was denied. The
24 address we were watching was 35 Pauls Path.

25 THE COURT: Wait. Slow down one second. Thank

Mascia - Direct/Price

5

1 you.

2 BY MR. PRICE:

3 Q. During the -- were you personally present at that
4 address?

5 A. Yes, yes.

6 Q. You were observing the address looking for your
7 target, correct?

8 A. Yes.

9 I was on an adjacent street, it's a corner
10 house.

11 Q. During the course of your observation, did someone
12 appearing to fit the description of the target appear?

13 A. Yes.

14 Q. Can you tell us what happened?

15 A. Yes.

16 Okay. So essentially I'm watching the residence
17 from the adjacent street. I have a view from the side,
18 across the front yard 'cause it's -- you know, it's a
19 corner house with two driveways. A vehicle, a black, I
20 believe, Ford Expedition pulled up to the residence. I
21 observed two individuals walking around on the property,
22 you know, getting ready to leave, possibly for work.

23 One of the individuals did strongly resemble the
24 target of the enforcement effort. He loaded some stuff in
25 from a pickup truck that was on the driveway, in other

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1 words, he was taking stuff out of a pickup truck and
2 putting it in the Expedition.

3 And then they departed in the vehicle.

4 THE COURT: Can we stop for one second.

5 Did you suggest that the petitioner and someone
6 else, they approached the residence you were looking at or
7 a different residence?

8 THE WITNESS: Oh, no, it's the residence I'm
9 watching, sir.

10 THE COURT: Okay.

11 THE WITNESS: It's the correct residence.

12 THE COURT: Okay.

13 BY MR. PRICE:

14 Q. If you were across the street how well were you able
15 to observe the individual you thought was the target?

16 A. Okay.

17 It was a good observation. I was using
18 binoculars. I was using ten times magnification
19 binoculars.

20 Q. And was it the petitioner who you believed looked
21 like the target?

22 A. I believe so, yes.

23 Q. Did you approach those individuals or the car at the
24 time?

25 A. No, I did not approach them.

Mascia - Direct/Price

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1 So at the same time, you know, just by chance at
2 the same time this was happening, I was approached by
3 agitators. So often during our operations we are followed
4 around by a group of activists or agitators that they will
5 announce our presence to the area if they can locate us
6 and they will attempt to hinder our operations by both,
7 you know, slowing us down and just notifying the community
8 that we are in the area.

9 An individual -- well, actually it was two
10 vehicles actually approached me. An individual got out of
11 his car and started screaming, ICE is here. ICE is in the
12 neighborhood. In my judgment I stood at my location. So,
13 in other words, I'm observing the residence. I stood
14 there essentially to distract the agitators, to slow them
15 down.

16 And when his vehicle pulled away I called over
17 the radio for another officer to assist and pull over the
18 vehicle.

19 THE COURT: Were you in a marked vehicle?

20 THE WITNESS: No, sir.

21 I'm in an unmarked vehicle. This would be,
22 like, akin to, like, a stakeout. We call it sitting at a
23 residence. I'm waiting outside a residence. I'm hoping
24 to see a target. If I hadn't been approached by these
25 agitators I would have followed him myself. I would have

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1 still called for the assistance of another officer because
2 there was three individuals in the vehicle.

3 But essentially, when the vehicle pulls out, I
4 call for assistance for somebody to go follow the vehicle
5 and make the vehicle stop while I slow down the agitators.
6 I actually turned the opposite direction down the street
7 to lead them away in hopes -- so the vehicle stop itself
8 would be worse if the agitators are there with me.

9 THE COURT: If you know, how did they know you
10 were with ICE?

11 THE WITNESS: So without disclosing too much,
12 the unmarked vehicle that I'm in is very well known with
13 the agitators.

14 There is an app that tracks us and often posts
15 the license plate numbers and the pictures of the vehicle
16 and, unfortunately, I have a vehicle that is very well
17 known because of its color.

18 THE COURT: Okay.

19 Go ahead. Sorry, counsel.

20 BY MR. PRICE:

21 Q. So you drove off in another direction.

22 Do you know if that vehicle was stopped?

23 A. Yes, it was stopped.

24 Q. Did you, yourself, go to the scene of the stop?

25 A. Yes.

Mascia - Direct/Price

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1 So I arrived at the scene, I'm estimating, 15
2 minutes or maybe ten minutes after the stop. I drove away
3 from them and eventually I lost the agitators and I
4 circled back to the scene.

5 Q. Once you were at the scene of the stop, did you have
6 any interaction or conversations with any of the occupants
7 in the vehicle?

8 A. Yes.

9 So I walked over to the vehicle and I actually
10 walked over to the front passenger's side of the vehicle.
11 There was an adult male in the front passenger's side.
12 You know, everyone was being cooperative. It was actually
13 a very -- you know, in the beginning it was a calm
14 setting. The agitators, the agitator did show up
15 eventually. The person in the front passenger's side, he
16 was cooperative. I spoke to him. I asked him if he had
17 an ID and he informed me he had already given it to
18 somebody else.

19 Then I briefly took a view into the vehicle and
20 looked at everyone and that was it. I was essentially
21 just waiting there for our records checks to come back.

22 Q. Do you recognize the petitioner as being one of the
23 occupants of the vehicle?

24 A. Yes.

25 That --

Mascia - Direct/Price

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1 THE COURT: Hold on.

2 Was the petitioner the person that said that he
3 had given his ID to someone else?

4 THE WITNESS: No, Your Honor.

5 THE COURT: All right.

6 THE WITNESS: I believe it may have been his
7 father. I'm not sure.

8 BY MR. PRICE:

9 Q. Just taking one step back.

10 Do you know which officer actually made the stop
11 of the vehicle?

12 A. Yes.

13 It was officer Hassell.

14 Q. Other than that conversation with the front passenger
15 occupant, did you have any other conversations with any of
16 the occupants?

17 A. No, I don't believe I did.

18 Q. Did you have any -- did you take any further action,
19 substantive action at the scene?

20 A. No, sir.

21 Q. Did you transport any of the occupants to a detention
22 facility?

23 A. Oh, yes. I'm sorry.

24 So I did take action after the records checks
25 came back. So I was informed by another officer that

Mascia - Direct/Price

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1 these individuals were going to be taken in custody, that
2 they were, you know, essentially subject to arrest and I
3 did remove the person who I was standing next to, the
4 passenger's side front.

5 Q. When you say remove him, did you have to physically
6 remove him or --

7 A. No.

8 I just asked him to come out of the car. He was
9 cooperative. So there's no breaking windows or, you know,
10 forcing anyone out of the car. This was a very
11 cooperative vehicle stop.

12 Q. I don't think you answered this question but were you
13 involved in the actual transportation of any of these
14 individuals to a detention facility?

15 A. No, I don't believe I was.

16 MR. PRICE: That's all I have for this officer.

17 THE COURT: Just stay there for one second in
18 case you want to follow up.

19 Was the petitioner the person you thought looked
20 like the target that you were after?

21 THE WITNESS: Yes, I believe so, sir.

22 THE COURT: And you said a moment ago after the
23 records check, did you say you were informed by another
24 officer they were going to be taken into custody?

25 THE WITNESS: Yes.

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1 So essentially I'm just standing outside the
2 door to make sure, you know, everything was secure, I
3 guess. And another officer -- at the same time, the
4 officer who has their IDs is at his vehicle. He's not
5 there. He's at his vehicle in contact with somebody else
6 over the phone who is running the records checks.

7 THE COURT: Did you learn at the scene whether
8 or not the petitioner was, in fact, your target?

9 THE WITNESS: Yeah.

10 So actually, when I first approached the
11 vehicle, when I first came on the scene I don't recall who
12 I asked, but when I first walked over I did ask -- when I
13 peeked in I thought he still was a target and I said, oh,
14 is that the target? And nobody -- the records checks
15 hadn't come back yet so nobody replied. But from
16 talking -- from speaking with the person I was speaking to
17 in the window, the adult male -- I'm sorry -- they are all
18 adults -- but the person I was talking to, you know, it
19 became evident after a little bit that it wasn't the
20 target.

21 I actually showed this person in the front seat,
22 I showed him a picture of the actual target and he
23 acknowledged that he knows him. So he said -- you know, I
24 showed him the picture and he said, yeah, I do know that
25 person. I think he moved recently from the address.

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1 THE COURT: So it became clear to you at some
2 point that this was --

3 THE WITNESS: Yes.

4 THE COURT: That the petitioner was not the
5 target.

6 THE WITNESS: Yes.

7 THE COURT: And someone told you they would be
8 arrested anyway.

9 THE WITNESS: Yes.

10 So, you know, they are already running checks on
11 his biographic information through our databases, and,
12 yes. So essentially I was standing there waiting to see,
13 you know, how the checks came back, if he was subject to
14 detention and removal.

15 THE COURT: Were you speaking to these
16 individuals, meaning the petitioner and/or the people with
17 him, in English or in Spanish?

18 THE WITNESS: Oh, they speak English.

19 So that was one of the conversations I had with
20 the person in the front seat. I think I even asked him
21 why he speaks such good English and he actually told me he
22 is here unlawfully. He said he had work authorization and
23 he owned a company -- not -- I'm sorry -- not this
24 individual. It was somebody else. I want to make that
25 clear.

Mascia - Cross/Adlam

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1 THE COURT: The other individual said he was
2 here lawfully or unlawfully.

3 THE WITNESS: He admitted, he said he came to
4 the country many years ago, I don't recall exactly, I
5 think he said 20 years ago.

6 THE COURT: And was he taken into custody too?

7 THE WITNESS: Yes, he was, sir.

8 THE COURT: I'm sorry.

9 Anything you want to follow up on?

10 MR. PRICE: No, Your Honor.

11 THE COURT: Counsel, your witness.

12 CROSS-EXAMINATION

13 BY MS. ADLAM:

14 Q. Good afternoon, Officer.

15 A. Good afternoon, ma'am.

16 Q. You testified that the individual that you were --

17 THE COURT: Counsel, excuse me.

18 The microphone is the other one.

19 MS. ADLAM: Sorry, Your Honor. Thank you.

20 BY MS. ADLAM:

21 Q. You testified that the person you were looking for
22 had a post order BIA dismissal.

23 Is that correct?

24 A. He was post order meaning, like -- so he was subject
25 to INA 241(a)(2) meaning this person that we were

Mascia - Cross/Adlam

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1 targeting, he had been through his proceedings already.

2 He had seen an immigration judge, ordered remove.

3 He filed the BIA appeal, the BIA appeal had been
4 dismissed. He filed a motion and that was motion was
5 denied. You don't necessarily have to go through all
6 those steps but it was a good target because in theory
7 this person exhausted their proceedings.

8 Q. I understand.

9 I'm just asking you --

10 A. I'm sorry.

11 Yes. I'm sorry.

12 Q. Once the record checks came back, did the records
13 show that the petitioner was the subject of who you were
14 looking for?

15 A. It showed that it was not the subject.

16 Q. Okay.

17 And did the records checks show anything else?

18 A. I will say at that time I did not receive, for
19 instance, the actual record checks for your client.

20 You know, I was aware that he would be another
21 case, but, you know, all I was aware of was that we were
22 going to take all of them into custody because they were
23 all amenable. In other words, if you are asking, you
24 know, did it show that he was in proceedings or that he
25 would be enrolled in proceedings, at that time, no. I

Mascia - Cross/Adlam

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1 wasn't -- I didn't communicate with your client at that
2 time, and I wasn't given the actual, like, records checks
3 for your client.

4 Q. So you weren't given any records checks, just that he
5 was to be taken into custody?

6 A. Yes, yes, exactly.

7 Q. How long did it take to do record checks?

8 A. We try to do them as quickly as possible because we
9 have been having a lot of issues -- you know, we would
10 like to sit on a location for an extended period of time
11 and run checks and, you know, take our time and make
12 decisions.

13 But agitators did eventually show up at the
14 location. There was somebody that came from across the
15 street and started cursing at us and filming us and it was
16 a little rushed. But I would say it was probably,
17 probably 15, 20 minutes at the scene.

18 Q. What's involved when looking for records checks?

19 A. I did not perform his records checks. So I can't say
20 exactly what was involved.

21 But I will say typically we are going to run
22 them through all of the immigration databases, right. So
23 we are going to see if this person's already in
24 proceedings. We are going to see if this person entered
25 the country lawfully or unlawfully. We are going to check

Mascia - Cross/Adlam

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1 to see if, you know, he's adjusted status.

2 We are going to check to see if any status -- if
3 there is any reason not to take him into custody and what
4 detention authority -- if we are taking him into custody
5 what detention authority it would fall under.

6 Q. So you testified that you checked to see if there is
7 any status.

8 Do you check to see if there is any petitions
9 pending?

10 A. Yeah, they would check petitions, yes.

11 Q. And with my client, did you -- were you informed of
12 any petitions that were pending?

13 A. No, ma'am.

14 Q. You said that you also checked that they also check
15 to see if there was any prior proceedings.

16 Does that include any issuances of NTAs?

17 A. Yes.

18 Q. Did your findings find that there was a prior NTA
19 issued but never filed with EOIR?

20 A. I can't speak to the findings of the record check.

21 Obviously I now reviewed your client's case. So
22 I know what the records checks would show right now, but
23 because I didn't run the records checks and I didn't
24 receive them on the scene, I really can't say to what was
25 received at the scene when the decision was made to take

Mascia - Cross/Adlam

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1 him into custody.

2 You know, another officer that, you know, that I
3 believe is present today may be able to testify more to
4 that. But, you know, I think that's what you are asking,
5 is specifically to what's at the scene.

6 Q. The address, can you repeat the address that you were
7 watching from across the street?

8 A. I believe it was 35 Pauls Path.

9 So it's a corner address. I was actually
10 adjacent -- I was on the side street to the house, and I
11 was looking at an angle across the two driveways.

12 Q. And who did you say was in the front seat, the
13 driver?

14 A. Not the driver, I didn't speak to the driver.

15 I spoke to the front passenger.

16 Q. Okay.

17 A. I believe I said I think it was his father. I'm not
18 sure, honestly.

19 Q. Okay.

20 A. That individual's also -- so that individual was also
21 taken into custody.

22 All three individuals were taken into custody.

23 MS. ADLAM: Your Honor, I have no further
24 questions.

25 THE COURT: Okay.

Mascia - Cross/Adlam

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1 I have a quick follow up and then anybody who
2 wants to follow up on that can do that.

3 When you say all of the, I think you said all of
4 the immigration databases, if I got that right, you now
5 know what this individual had in terms of SIJ --

6 THE WITNESS: Yes.

7 THE COURT: Deferred action, work authorization,
8 yes?

9 THE WITNESS: Yes, sir.

10 THE COURT: Would that information show up on
11 the databases that you can check?

12 THE WITNESS: Yes.

13 THE COURT: Does ICE have access to those?

14 THE WITNESS: Yes, sir. Yes, we do.

15 THE COURT: So you have been an officer for a
16 long time.

17 THE WITNESS: Yes.

18 THE COURT: You have had a lot of training, I
19 presume.

20 THE WITNESS: Yes.

21 THE COURT: You are familiar with SIJ status and
22 what deferred action means, yes?

23 THE WITNESS: Yes.

24 THE COURT: If you knew that at the time, would
25 you have effected the arrest?

Mascia - Cross/Adlam

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1 THE WITNESS: Yes, I would, sir, yes.

2 THE COURT: Why?

3 THE WITNESS: So SIJ status does not confer a
4 lawful status, right.

5 It's a classification. So essentially the
6 deferral, the deferral part is what has, you know, become
7 confusing. To deferral is specific to his removal. He
8 would have -- I would have detained him at the time to
9 place him in the removal proceedings.

10 So, you know --

11 THE COURT: But you get to make that decision?

12 THE WITNESS: So -- no, oh, no, sir.

13 THE COURT: Who does?

14 THE WITNESS: Essentially -- there is direct
15 custody determinations done by management.

16 So in this case an I-200 was issued for this
17 individual. But even after -- I want to point out -- so
18 actually his attorney brought up that his initial -- he
19 was initially put into removal proceedings through the
20 issuance of a notice to appear.

21 THE COURT: Yes.

22 THE WITNESS: It was not correctly filed with
23 the court.

24 THE COURT: Right.

25 THE WITNESS: So another one would need to be

Mascia - Cross/Adlam

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1 issued for him to be placed in removal proceedings.

2 So he would come into custody, a new NTA would
3 be issued, which one was. Deferred action is specific to
4 his removal at the end of those removal proceedings, but
5 he's still coming into custody to be placed in those
6 proceedings, right. That does not necessarily mean he's
7 going to remain in custody.

8 So management does continuously review these
9 cases for --

10 MR. PRICE: Your Honor, I just want to object
11 here in that he's getting far afield from what his actual
12 duties are --

13 THE COURT: But it's fascinating.

14 Your objection is noted. But it's fascinating
15 for me.

16 Please finish because I'm trying to understand.

17 THE WITNESS: So he would come into custody.

18 The management does have the ability to
19 continuously review whether somebody's going to stay in
20 custody or not.

21 THE COURT: So in this case, though, you said
22 you detain him pending removal proceedings being
23 commenced.

24 Who makes that decision? Who says, okay. We
25 are going to file removal proceedings against him?

Mascia - Cross/Adlam

22

1 THE WITNESS: So somebody -- a supervisor has to
2 issue the notice to appear.

3 THE COURT: A supervisor meaning a supervisory
4 field agent?

5 THE WITNESS: Yes, yes.

6 We call it a supervisory detention deportation
7 officer.

8 THE COURT: And you are not in that position?

9 THE WITNESS: No, no.

10 I would not be issuing the notice to appear. So
11 the removal proceedings are commenced by the issuance of a
12 notice to appear.

13 THE COURT: Okay.

14 You have never been -- or have you been trained
15 on the question of what deferred action means in this
16 context in terms of when removal proceedings would be
17 commenced?

18 THE WITNESS: Yes.

19 So it's my understanding that deferred action
20 does not affect removal proceedings. In other words, for
21 instance, he was granted deferred action and at that time
22 he was already, you know, issued a notice to appear. That
23 notice to appear was just not correctly filed with the
24 court.

25 THE COURT: Okay.

Mascia - Recross/Adlam

23

1 Do you have anything to follow up on, counsel?

2 MR. PRICE: Briefly.

3 REDIRECT EXAMINATION

4 BY MR. PRICE:

5 Q. Officer Mascia, I believe you testified that when the
6 records checks would come back they would say whether or
7 not they were amenable to detention and what the detention
8 authority was.

9 Do you have an understanding of what the
10 detention authority was in this instance when you took him
11 into custody?

12 A. Yes.

13 So because of the method of entry into the
14 country it would be detained under INA 235.

15 MR. PRICE: No further questions, Your Honor.

16 THE COURT: Anything further?

17 MS. ADLAM: Yes, Your Honor.

18 RECROSS-EXAMINATION

19 BY MS. ADLAM:

20 Q. You said that the NTA that he had prior was not
21 properly filed with the court.

22 Who didn't properly file it?

23 A. I don't know, ma'am.

24 Q. Whose job is it to file it with the court, with the
25 immigration court?

Mascia - Recross/Adlam

24

1 A. So, you know, I really can't say.

2 I believe his initial apprehension -- I believe
3 it was by border patrol, correct?

4 Q. Yes.

5 A. Often it would be either US Border Patrol, ICE --
6 Immigration Customs Enforcement.

7 Sometimes USCIS will file the NTAs because he
8 filed for status, right, or a classification, but there
9 is -- any agency can encounter this individual and file
10 the NTA.

11 Q. And so if the NTA was never filed by -- it would be
12 basically a government entity -- and then you found out
13 also he had deferred action, could you have just refiled
14 the original NTA that was never filed with the court?

15 A. Well, he needs to be served it.

16 So he would need to be served it. There is the
17 option to serve through mail. But, yeah. He needs to be
18 served the NTA. There would be -- to be a new court date
19 issued, a new location.

20 Q. And at the time that he was detained, he still had
21 deferred action, is that correct?

22 A. Yes.

23 Q. Thank you.

24 MS. ADLAM: Nothing further.

25 THE COURT: Anything further?

Hassell - Direct/Price

25

1 MR. PRICE: No, Your Honor.

2 THE COURT: Sir, you can step down.

3 Thank you.

4 (Witness steps down.)

5 THE WITNESS: Okay.

6 THE COURT: Call your next witness, please.

7 MR. PRICE: Your Honor, calling Deportation
8 Officer Peter Hassell.

9 THE COURT: Okay.

10 (There was a pause in the proceedings.)

11 THE COURT: Sir, come on up to the witness
12 stand.

13 Remain standing and you'll be sworn in.

14 THE CLERK: Please raise your right hand.

15 **PETER HASSELL,**

16 having been duly sworn, testified as follows:

17 THE CLERK: Please be seated.

18 Please state your name and spell your last name
19 for the record.

20 THE WITNESS: Peter Hassell, H-A-S-S-E-L-L.

21 THE COURT: You can proceed, Counsel, please.

22 **DIRECT EXAMINATION**

23 **BY MR. PRICE:**

24 Q. Good afternoon, Officer Hassell.

25 You are employed by ICE, is that correct?

Hassell - Direct/Price

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1 A. Yes.

2 Q. Can you tell us what your position or title with ICE
3 is?

4 A. I'm a deportation officer.

5 Q. You might just want to get a little closer.

6 A. A deportation officer.

7 Q. How long have you been in that position?

8 A. Approximately 16 years -- well, I started out as an
9 immigration enforcement agent and then deportation officer
10 since 2015.

11 Q. 2015?

12 A. Correct.

13 Q. When did you start with ICE initially?

14 A. 2008.

15 Q. Did you participate in the stop and arrest of the
16 petitioner here?

17 A. Yes.

18 Q. That was on February 6, 2026?

19 A. Yes.

20 Q. Officer Mascia testified that you were the officer
21 who actually made the physical stop of the vehicle.

22 Is that correct?

23 A. Correct.

24 Q. Can you tell me what led you to stop the Ford
25 Expedition?

Hassell - Direct/Price

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1 A. I was working a different case that was local to that
2 case, and I was getting, like, harassed by agitators so I
3 ended up driving away.

4 On my way back I ended up on Pauls Path, where
5 Mascia was, and he called out who we believed was the
6 target, entered a Ford Expedition, a black one, and the
7 car just happened to pass me as I was on that road.

8 Q. And so then did you immediately stop the vehicle or
9 what did you do?

10 A. No.

11 Our radios don't work the best. So I turned
12 around and started following the vehicle and I made sure I
13 had somebody to support me to initiate the stop. Then the
14 radios, again, weren't working that good. So I went over
15 the radio, I'm going to stop the car and wait for people
16 to come support me.

17 THE COURT: Were you in a marked vehicle?

18 THE WITNESS: Unmarked.

19 BY MR. PRICE:

20 Q. Once you made the stop, and you had support with you,
21 what did you do?

22 A. I approached the driver's side, the driver of the
23 vehicle.

24 Q. Did you have any conversations with the driver or
25 occupants?

Hassell - Direct/Price

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1 A. Limited.

2 I asked for identification, got their
3 identification from them.

4 Q. Did they comply with the request or did anybody
5 object?

6 A. No, they complied.

7 Q. So throughout the duration of the stop did you have
8 any conversations with any of the occupants of the
9 vehicle?

10 A. Not really, not besides getting the identification.

11 Q. Did there come a point in time where you were
12 notified that the individuals were to be detained?

13 A. Yes.

14 Q. What steps did you take after that?

15 A. So another officer took the identification for me,
16 ran the checks.

17 I was pretty much holding security on the car,
18 making sure nobody was reaching for any weapons or
19 anything. Once we got the okay we can apprehend them, we
20 started -- there was a bunch of people there and the other
21 officers started and took the guys out of the car.

22 Q. So you didn't run the ID checks, is that right?

23 A. No.

24 Q. Do you know who did?

25 A. I didn't make the phone call, but I know who I

Hassell - Direct/Price

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1 believe did.

2 Q. And who was that?

3 A. Michael O'Donoghue.

4 Q. Which officer at the scene called in the ID
5 information?

6 A. Officer Paoli.

7 Q. Did you -- were you involved with physically
8 detaining the individuals, putting handcuffs on or
9 anything like that?

10 A. I believe I cuffed the driver.

11 Q. Were you involved in the transportation of any of
12 the --

13 A. No.

14 MR. PRICE: I don't have anything further.

15 THE COURT: Why don't you stay there in case you
16 want to follow up.

17 You said you were provided ID by the three
18 people in the car.

19 THE WITNESS: Correct.

20 THE COURT: Including this gentleman.

21 THE WITNESS: Yes. I believe he was sitting in
22 the back seat.

23 THE COURT: Did he give you a work authorization
24 card as his ID?

25 THE WITNESS: I don't recall, honestly.

Hassell - Direct/Price

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1 THE COURT: Would it have been significant to
2 you if he gave you his work authorization card?

3 THE WITNESS: Would it have been significant?

4 THE COURT: Yes.

5 THE WITNESS: So work authorization to me -- I
6 have seen people with orders of deportation with them.

7 So I still would have ran it.

8 THE COURT: Okay.

9 According to your testimony, all three
10 individuals were placed under arrest.

11 THE WITNESS: Correct.

12 THE COURT: Were all three ultimately detained,
13 if you know, or do you know?

14 THE WITNESS: I know they got transported away
15 from that scene.

16 THE COURT: And who made the decision to arrest
17 this petitioner, do you know?

18 THE WITNESS: I was told that -- I was told by
19 another officer that they were all -- we could take them.

20 THE COURT: As you sit here today, you are aware
21 he has SIJ status --

22 THE WITNESS: I am aware now, yes.

23 THE COURT: Deferred action and work
24 authorization, yes?

25 THE WITNESS: I didn't know about the work

Hassel1 - Cross/Adlam

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1 authorization but I knew he had SIJ, yes.

2 THE COURT: Does that affect your determination
3 as to whether or not to arrest somebody?

4 THE WITNESS: Well, it's my understanding that
5 if you have SIJ status it doesn't make you not removable.

6 You have to petition or apply to get further
7 status in order to make yourself legally here in the
8 United States.

9 THE COURT: Okay.

10 You want to follow up on any of those questions,
11 counsel?

12 MR. PRICE: No, Your Honor.

13 THE COURT: All right.

14 Any questions?

15 MS. ADLAM: Yes, Your Honor. Thank you.

16 CROSS-EXAMINATION

17 BY MS. ADLAM:

18 Q. Good afternoon, Officer.

19 A. Good afternoon.

20 Q. Were you aware of what the checks showed, or were you
21 told about the checks, what the checks revealed?

22 A. No.

23 Q. When did you find out that he had an approved I 560
24 SIJ petition?

25 A. When I got contacted after testifying.

Hassel - Cross/Adlam

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1 Q. When did you become aware that he also had deferred
2 action?

3 A. I wasn't even aware of the deferred action.

4 Q. And you said that in order to get the adjustment of
5 status or in order to get the green card, they have to
6 file something after the approval.

7 Is that correct?

8 A. That's what I believe, yes.

9 Q. And were you aware at the time that it was
10 backlogged, the time to get green cards, based on the SIJ?

11 A. I don't work in that department.

12 I don't know how backlogged they are.

13 Q. Do you know what the congressional intent of SIJ is,
14 or deferred action?

15 THE COURT: I'll sustain the objection to that.

16 MS. ADLAM: I have no further questions, Your
17 Honor.

18 THE COURT: Okay.

19 Any follow up?

20 MR. PRICE: No, Your Honor.

21 THE COURT: Give me one second.

22 (There was a pause in the proceedings.)

23 THE COURT: We heard from another officer,
24 obviously I think you know that. Did you understand that
25 you were targeting a particular individual that morning?

Hassel1 - Cross/Adlam

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1 THE WITNESS: I understood he was targeting a
2 different individual, yes.

3 THE COURT: Right.

4 Did it become clear at the scene that this
5 petitioner was not the targeted individual?

6 THE WITNESS: Once we received the IDs, yes.

7 THE COURT: All right.

8 Anything else?

9 MR. PRICE: No, Your Honor.

10 MS. ADLAM: No, Your Honor.

11 THE COURT: You can step down, sir.

12 Thank you.

13 THE WITNESS: Thank you.

14 (Witness steps down.)

15 THE COURT: Counsel, any other witnesses?

16 MR. PRICE: One more, Deportation Officer
17 Geraldo Paoli.

18 THE COURT: Okay.

19 (There was a pause in the proceedings.)

20 THE COURT: Sir, come on up.

21 Stand next to the witness stand and you will be
22 sworn in.

23 THE CLERK: Please raise your right hand.

24

25

Paoli - Direct/Price

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1 **GERALDO PAOLI,**

2 having been duly sworn, testified as follows:

3 THE CLERK: You can be seated.

4 Please state your name and spell your last name
5 for the record.

6 THE WITNESS: My name is Geraldo Paoli, last
7 name is spelled P-A-O-L-I.

8 THE COURT: Counsel, you may proceed.

9 DIRECT EXAMINATION

10 BY MR. PRICE:

11 Q. Officer Paoli, good afternoon.

12 You work for ICE, is that correct?

13 A. Correct.

14 Q. Can you tell us what your position or title with ICE
15 is?

16 A. My title is deportation officer.

17 Q. How long have you been in that position?

18 A. As a deportation officer, I was promoted to
19 deportation officer in 2015, but I started with
20 immigration in 2007 as an IEA, or immigration enforcement
21 agent.

22 Q. Did you take part, any part, in the stop or detention
23 of the petitioner here?

24 A. Yes.

25 Q. Can you explain to -- strike that.

Paoli - Direct/Price

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1 Were you involved in the actual stop of the
2 vehicle?

3 A. No, no.

4 Q. At what point did you come on to the arrest scene?

5 A. When I arrived, the vehicle was already pulled over,
6 and I believe the officer that was here before, he got the
7 IDs from all the subjects inside the vehicle.

8 Q. Do you know what he did with those IDs?

9 A. He forwarded to the officers to run record checks.

10 Q. Did you have any role in running the records checks?

11 A. Yes.

12 So when I got there, I got into -- I got back in
13 my vehicle with the IDs and I called the officer that was
14 running the record checks just to kind of, like, expedite
15 the process and try to get these people, you know, to get
16 out of that situation as quickly as possible.

17 Q. Do you have the capability of running the records
18 checks yourself?

19 A. Yes, but it would take much longer if I did it
20 myself.

21 I would have to, like, boot up my computer and
22 it would take a lot longer.

23 Q. So the officer that you were speaking to at some
24 point returned results of checks to you, is that correct?

25 A. Correct.

Paoli - Direct/Price

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1 Q. What were the results of the check?

2 A. That they are all amenable to removal proceedings.

3 Q. When --

4 THE COURT: Wait, wait.

5 What does that mean? Explain that, please.

6 THE WITNESS: Me?

7 THE COURT: Yes.

8 THE WITNESS: That they can -- basically, they
9 can be taken into ICE custody and placed into removal
10 proceedings.

11 THE COURT: So there are no proceedings pending
12 based on the record checks, yes?

13 THE WITNESS: No, there were not -- I don't
14 believe there were removal proceedings at that time.

15 THE COURT: But that --

16 THE WITNESS: We could place them into removal
17 proceedings.

18 THE COURT: And when you say we, who's the we?
19 Who makes that decision?

20 THE WITNESS: So, I mean, at that time the
21 officer that was running the record checks, he ran the
22 record checks saying there is nothing prohibiting us from
23 placing them into removal proceedings, but immigration
24 basically subject to removal proceedings.

25 THE COURT: Who makes that determination as to

Paoli - Direct/Price

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1 whether or not that happens?

2 THE WITNESS: Can you explain that again?

3 THE COURT: Sure.

4 In other words, you say they might be placed
5 into removal proceedings, but who makes the decision?

6 Is that your decision?

7 THE WITNESS: Well, yes.

8 Ultimately, like, you know, we -- so once the
9 record checks come saying the subjects are amenable to
10 removal proceedings, us, as officers, take them into
11 custody and place them into removal proceedings, and then
12 a supervisor, you know, signs the documents you know,
13 putting them with the notice to appear and going through
14 the whole removal proceedings.

15 THE COURT: Okay.

16 Counsel.

17 BY MR. PRICE:

18 Q. Just to be clear, you said place them in removal
19 proceedings.

20 You are not doing removal paperwork or any of
21 that?

22 A. No, no. At that time, no. We are not doing any of
23 the removal paperwork.

24 Q. That's something that occurs later on?

25 A. Yes.

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1 So we just take them into custody, take them to
2 the processing center and at the processing center they
3 serve them with all the papers for the removal
4 proceedings.

5 Q. When you get the results, you said that you were
6 informed that they were amenable to detention.

7 Are you given more specifics, like the basis for
8 the amenability, or is it just you can pick them up?

9 A. No.

10 For the -- it's usually like, no, they are good
11 to pick up. There is nothing prohibiting us from placing
12 them into, you know, custody.

13 Q. Did you have any conversations with anyone in the
14 occupants of the vehicle?

15 A. I know I spoke to them.

16 I believe once I was notified that we can place
17 them into custody, I believe I told them, like, hey, you
18 guys are going to come into custody with us. You guys are
19 going to be all detained with immigration.

20 You are going to go to the office with us. We
21 are going to serve you with the documents. You can speak
22 to your attorney or get an attorney if you don't have one.
23 You don't have to sign anything if you don't want to sign
24 and you don't have to talk to anybody if you don't want to
25 talk to anybody.

Paoli - Direct/Price

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1 Q. Did you convey that information in English or Spanish
2 or both?

3 A. I believe I did it in Spanish.

4 I may have started in English and then I spoke
5 to them in Spanish.

6 Q. Did you -- as part of the report that came back, were
7 you informed that anyone in the vehicle had SIJ status?

8 A. I don't recall if anybody mentioned anything about
9 the, SIJ.

10 I believe one -- I think one of them came back
11 with a U visa. I don't think it was him, it was another
12 subject. But, like I said previously, subjects were
13 still -- can be placed into removal proceedings, even with
14 those -- whatever applications they had pending or
15 approved.

16 THE COURT: Hold on a second.

17 Officer, it is your understanding, based on your
18 training and experience, that somebody with a U visa can
19 be put into removal proceedings?

20 THE WITNESS: Yes, sir -- Your Honor, yes.

21 THE COURT: Wow.

22 And you know the basis for a U visa, yes?

23 THE WITNESS: More or less, yes.

24 THE COURT: What's your understanding of that?

25 THE WITNESS: I mean, I can't really answer,

Paoli - Direct/Price

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1 like, I guess I'm, like, a little unfamiliar with it at
2 that moment.

3 But from what I understanding is that, yes, they
4 can be place into removal proceedings. Like, that is not
5 something that can stop somebody from being placed into
6 removal proceedings. That they can be placed into removal
7 proceedings and then --

8 THE COURT: Okay.

9 And your understanding is the same with respect
10 to people who have SIJ status?

11 THE WITNESS: Yes, Your Honor.

12 THE COURT: And are you familiar with the notion
13 of deferred action?

14 THE WITNESS: Yes, Your Honor.

15 THE COURT: Your understanding is they can be
16 placed in removal proceedings while they have the deferred
17 action?

18 THE WITNESS: Yes, Your Honor.

19 THE COURT: And that's been part of your
20 training as an agent?

21 THE WITNESS: There have been other person who
22 have been placed into removal proceedings with deferred
23 action.

24 There have been subjects who have been deported
25 that had approved U visas before as well.

Real ID

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1 THE COURT: Thank you.

2 Go ahead.

3 MR. PRICE: I don't have anything further for
4 direct.

5 THE COURT: Stay there for one second.

6 The ID that was provided, do you know if he
7 provided a work authorization card?

8 THE WITNESS: I believe, yes.

9 I think they all had work authorization cards.

10 THE COURT: And that's something that you know
11 is issued through the US Government, through immigration
12 proceedings, yes?

13 THE WITNESS: Yes, Your Honor.

14 THE COURT: So he has authorization to work
15 here, but he can be arrested and put into removal
16 proceedings any time, yes?

17 THE WITNESS: Yes, Your Honor.

18 If they have no legal status in the
19 United States, then, yes. They can be placed into removal
20 proceedings.

21 THE COURT: When you saw the work authorization
22 card, did that mean anything to you about what his status
23 might be?

24 THE WITNESS: Usually -- you know, I usually ask
25 them. If I see, like, a work authorization I always ask

Paoli - Cross/Adlam

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1 them what do you have pending with immigration?

2 I always ask them do you have, like, TPS or do
3 you have anything that would preclude us from you -- from
4 being detained with ICE and I guess, like I said
5 previously, you know, we run the record checks and the
6 officers that run the record checks showed that there was
7 nothing precluding us from detaining these subjects and
8 putting them into removal proceedings.

9 THE COURT: Anything further?

10 BY MR. PRICE:

11 Q. Just to be clear, you said that you typically ask
12 those questions of an individual who gives you a work
13 authorization?

14 A. Yes, usually.

15 Q. Did you ask that of this petitioner?

16 A. I believe so.

17 I believe I asked them if they had any TPS or
18 what do they have pending with immigration.

19 MR. PRICE: Nothing further.

20 THE COURT: Okay.

21 Counsel.

22 MS. ADLAM: Thank you, Your Honor.

23 CROSS-EXAMINATION

24 BY MS. ADLAM:

25 Q. Good afternoon, Officer.

Paoli - Cross/Adlam

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1 A. Good afternoon.

2 Q. Did you receive the results of the record checks?

3 A. It was just over a phone conversation.

4 Q. And what were the results that was on the phone
5 conversation about the record checks?

6 A. As I said, that there was nothing precluding us from
7 detaining any of the subjects and putting them into
8 removal proceedings.

9 Q. Well, did the record checks reveal any criminal
10 history for my client?

11 A. I don't believe so.

12 Q. Did the record checks show that he had any
13 applications pending?

14 A. I believe -- like I said earlier, I think one of them
15 had a U visa and I believe he had, like, the SIJ.

16 Q. As part of the record checks, does it also show that
17 he had deferred action?

18 A. I don't recall if the officer relayed that
19 information to me if he had deferred action.

20 But, again, the deferred action wouldn't -- not
21 allow us to take him into custody to put him into removal
22 proceedings.

23 Q. You testified that you saw his work authorization?

24 A. I believe so, yes.

25 Q. Do you know what code is on the work authorization?

Paoli - Cross/Adlam

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1 A. I don't recall.

2 Q. So even though you said that there was nothing
3 stopping you from placing him into custody, as to your
4 knowledge, what does deferred action mean?

5 A. What does deferred action mean to me?

6 Q. Yes, in regards to immigration.

7 A. It just means -- from my knowledge it usually means
8 we can't remove him at that time, you know, they won't be
9 able to be removed from the United States until we clear
10 up that deferred action stating that this person can't be
11 removed at that time.

12 But, like I said, we can still place him into
13 removal proceedings.

14 Q. And to your knowledge, was an NTA ever issued since
15 the time he entered the United States?

16 A. I don't recall if he was served an NTA.

17 Q. Do you know what year he came into the United States?

18 A. I don't recall, no.

19 Q. When you encountered my client, was he already
20 stopped or were you part of the stop?

21 A. He was -- the car was already stopped.

22 Q. You said that you did find out that he was SIJS, is
23 that correct?

24 A. Yes.

25 Q. What does having an approved SIJS application mean to

Paoli - Cross/Adlam

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1 you in the capacity in your role?

2 A. As I said, it wouldn't stop us from placing
3 somebody -- to place somebody into immigration custody and
4 put him into removal proceedings.

5 Q. But what does SIJS mean other than it doesn't stop
6 you from putting him into custody?

7 A. Special -- something with, like, juvenile -- I can't
8 recall exactly off the top of my head.

9 It's, like, Special Immigrant Juvenile, I
10 believe, something of that nature.

11 Q. Do you know how one obtains an approved SIJS?

12 A. Not in great detail, no.

13 Q. When someone is granted deferred action, do you know
14 what office grants the deferred action?

15 A. USCIS, I believe.

16 Q. And you said that you have been a deportation officer
17 since 2015?

18 A. Yes.

19 Q. So has it been since 2015 -- has it been the normal
20 procedure to put youth who have deferred action into
21 removal proceedings?

22 MR. PRICE: Objection.

23 THE COURT: I'm sorry.

24 You can answer that question.

25 A. Can you repeat the question?

Paoli - Cross/Adlam

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1 Q. Since you have been in office since 2015, that the
2 normal procedure to put youth into removal proceedings who
3 have deferred action?

4 A. I mean, it's happened before, yes.

5 MS. ADLAM: Your Honor, I have no further
6 questions.

7 THE COURT: I'm going to follow up with
8 something and either one of you can follow up.

9 You mentioned TPS status as a result you might
10 get to suggest you shouldn't put somebody into custody.
11 Are there other categories like that?

12 THE WITNESS: I'm sure there are. I couldn't
13 tell you off the top of my head but I'm sure there are
14 other categories that would preclude.

15 I mean, sometimes they have lawful permanent
16 status, they have work authorization as well. Sometimes
17 if they get withholding or removal as well they can apply
18 and they get the work authorization and sometimes that's
19 something where you would not take that person into
20 custody.

21 THE COURT: When you do your record check, are
22 you also checking USCIS records?

23 THE WITNESS: Yes.

24 THE COURT: What about State Department records?

25 THE WITNESS: So the officer that ran the record

Paoli - Cross/Adlam

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1 checks, I believe he runs the State Department as well.

2 I couldn't tell you exactly what website he was
3 on, but I'm sure that's one of his websites that he
4 checks.

5 THE COURT: Based on your experience, I just
6 want to understand.

7 THE WITNESS: Yes.

8 THE COURT: You picked up something who was
9 actually born in the United States.

10 THE WITNESS: I --

11 THE COURT: Let me finish, a natural born
12 citizen, right, and you pull him over and they say
13 whatever they say. You run the record check.

14 Is there anything in that record check that
15 would suggest that they were not amenable to removal
16 proceedings?

17 THE WITNESS: I mean, so if -- I have not
18 arrested a US citizen.

19 Usually if someone's a US citizen, you know, on
20 their -- a lot of times they have the US passport with
21 them. On -- their Real IDs have a little star on it now.

22 THE COURT: Say that again.

23 THE WITNESS: A lot of times they have, like,
24 the driver's license has, like, the Real ID, and there's a
25 lot of times when someone has -- US citizen, they will

Paoli - Cross/Adlam

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1 tell you right away. I'm a US citizen, and we run record
2 checks and that confirms they are a US citizen.

3 THE COURT: How does the record check confirm
4 they are a US citizen?

5 In other words, you are not checking for birth
6 certificates from Brooklyn, right?

7 THE WITNESS: It just says adjusted status.

8 A lot of times on our side it says USC,
9 United States citizen.

10 THE COURT: But someone who is born here they
11 don't have adjusted status.

12 They have status from when they were born.

13 THE WITNESS: So if they had a passport issued
14 by the United States we would have that record as well.

15 We could check and that it say US passport and
16 the only person getting a US passport is a US citizen.

17 THE COURT: Okay.

18 Are you familiar with the concept of individuals
19 who have been paroled into the United States?

20 THE WITNESS: Yes, Your Honor.

21 THE COURT: If someone comes back who was being
22 paroled, are they subject to arrest and removal, or no?

23 THE WITNESS: I believe so, Your Honor.

24 THE COURT: People who have been paroled can be
25 arrested by you?

Paoli - Redirect/Price

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1 THE WITNESS: Yes, Your Honor.

2 THE COURT: Wow. Okay.

3 Any further follow-up questions?

4 REDIRECT EXAMINATION

5 BY MR. PRICE:

6 Q. Officer Paoli, in terms of when you are told someone
7 is amenable to being detained, are you given any specifics
8 for the basis for the detention?

9 A. Can you repeat the question?

10 Q. Are you given a specific reason, like INA 212 or some
11 other basis?

12 A. Usually no.

13 Q. When you said that whoever is doing the record checks
14 is accessing these different databases, is that your
15 suspicion or do you know for certain that they actually
16 have access to other databases besides ICE databases?

17 A. They for sure have access to other databases.

18 Q. Okay.

19 A. I can't tell you exactly all the databases they have
20 access to because everyone has different access level.
21 You have to request it individually.

22 It's not like once you become an officer they
23 give you all these databases. Everybody has to apply for
24 these individually. So I can't tell you for sure which
25 databases he has and doesn't have.

Paoli - Recross/Adlam

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1 Q. To your knowledge, each agency, ICE, CIS, DHS, State,
2 they all have their own individual databases.

3 They are not all just one big database, is that
4 right?

5 A. Correct, yes.

6 MR. PRICE: No further questions, Your Honor.

7 THE COURT: Anything further?

8 MS. ADLAM: Yes, Your Honor, couple questions.

9 RECROSS-EXAMINATION

10 BY MS. ADLAM:

11 Q. Officer, who is the person who actually ran these
12 record checks?

13 A. I believe that was Officer O'Donoghue.

14 Q. You also said something about parole.

15 Would a person who has deferred action under the
16 INA, would they be considered being a parolee?

17 MR. PRICE: Objection.

18 THE COURT: You object?

19 MR. PRICE: Objection, outside the scope of his
20 knowledge.

21 THE COURT: If you know the answer, you can
22 answer it.

23 If you don't, that's fine.

24 A. I don't know.

25 Q. Thank you.

Paoli - Recross / Adlam

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1 MS. ADLAM: No further questions, Your Honor.

2 THE COURT: Anything further?

3 MR. PRICE: No, Your Honor.

4 THE COURT: Sir, you can step down.

5 Thank you for your time.

6 THE WITNESS: Thank you.

7 (Witness steps down.)

8 THE COURT: Does the government have any more
9 witnesses?

10 MR. PRICE: No, Your Honor.

11 THE COURT: Does the petitioner want to call
12 anybody?

13 MS. ADLAM: Your Honor, just one second.

14 THE COURT: Sure.

15 Take your time.

16 (There was a pause in the proceedings.)

17 MS. ADLAM: Your Honor, I'd like to call the
18 petitioner.

19 THE COURT: Okay.

20 Sir, come on up. We'll let the interpreter get
21 set up.

22 THE CLERK: Please raise your right hand.

23

24

25

Sanchez Alfaro - Direct/Adlam

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1 **WILLIAM ENRIQUE SANCHEZ ALFARO,**

2 having been duly sworn, testified as follows:

3 THE CLERK: Please be seated.

4 THE COURT: Counsel, when you are ready you can
5 proceed.

6 MS. ADLAM: Thank you, Your Honor.

7 DIRECT EXAMINATION

8 BY MS. ADLAM:

9 Q. William, can you please state your full name for the
10 record?

11 A. William Enrique Sanchez Alfaro.

12 Q. Where were you living on February 6, 2026?

13 A. At 35 Pauls Path, Coram -- Pauls Path, Coram.

14 Q. On the morning of February 6, 2026, what were your
15 plans for that day?

16 A. My friend was going to pick up my father and me to go
17 to work.

18 Q. What time was that?

19 A. Around 7 or 8.

20 Q. Morning or afternoon, evening?

21 A. In the morning.

22 Q. Did your friend pick you up?

23 A. Yes.

24 Q. How did they pick you up?

25 A. He came to pick us up in his car.

Sanchez Alfaro - Direct/Adlam

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1 Q. What kind of car did he drive?

2 A. A Ford Expedition.

3 Q. What color?

4 A. Black.

5 Q. Did there come a time where you got in the car?

6 A. Yes.

7 Q. And you said he was coming to pick you up to go to
8 work.

9 You were employed at that time; is that correct?

10 A. Yes, we were going to work.

11 Q. And were you authorized to work in the United States?

12 A. Yes.

13 Q. When you were granted authorization to work in the
14 United States, did you have to get fingerprinted?

15 A. Yes.

16 Q. Where were you sitting in the car?

17 A. In the back.

18 Q. When you got in the car, was there anybody on the
19 street at the time that you saw?

20 A. No.

21 Q. Did there come a time that the car was stopped?

22 A. Yes.

23 Q. Where was the car stopped at?

24 A. On Horse Block.

25 Q. Horse Block?

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1 A. Horse Block, yeah.

2 Q. And how far is Horse Block away from Pauls Path?

3 A. About nine or ten minutes away.

4 Q. When you were stopped, who were you stopped by?

5 A. The person, the last person who was here.

6 Q. Was there anybody else who was around when you were
7 stopped?

8 A. There were three who were outside the doors of the
9 car, outside the driver's side and outside of the
10 passenger's side.

11 Q. Did the individuals identify themselves?

12 A. No.

13 They just came and they stopped us and asked us
14 for our IDs.

15 Q. When those individuals asked you for your ID, were
16 there any other cars around?

17 A. Yes.

18 There were about five other cars.

19 Q. Were those cars stopped?

20 A. Yes.

21 Q. The persons who were around the car asking for IDs,
22 did you see anybody else talking to them?

23 A. They just asked us for our IDs and took them with
24 them to another vehicle.

25 Q. What ID did you give?

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- 1 A. My license and my work permit.
- 2 Q. What license are you referring to?
- 3 A. A New York license.
- 4 Q. Is that a driver's license?
- 5 A. Yes.
- 6 Q. When did you come into the United States?
- 7 A. 2018.
- 8 Q. How old were you when you came into the
- 9 United States?
- 10 A. I was 17 -- 18 years old.
- 11 Q. When you came into the United States, were you
- 12 detained by immigration?
- 13 A. Yes.
- 14 Q. When you were detained, where were you held?
- 15 A. At a house, like a home house.
- 16 Q. Were there other people living in that house?
- 17 A. Yes.
- 18 Q. Adults or children?
- 19 A. Children.
- 20 Q. How long did you stay in that house with children?
- 21 A. About a month.
- 22 Q. And were you released?
- 23 A. Yes.
- 24 Q. And who were you released to?
- 25 A. Daniella Soriano.

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1 Q. And who is that person?

2 A. My father's wife.

3 Q. Now, since you have been in the United States, you
4 testified you have work authorization.

5 You also have something called Special Immigrant
6 Juvenile Status.

7 Is that correct?

8 A. Yes.

9 Q. On the day of your arrest you still had that same
10 approved petition.

11 Is that correct?

12 A. Yes.

13 Q. And with that you had a work authorization with
14 deferred action.

15 Is that correct?

16 A. Yes.

17 Q. Prior to your arrest, you still had that work
18 authorization that was approved with the deferred action?

19 A. Yes.

20 Q. And before you were arrested, did you ever receive
21 any kind of notice saying that your Special Immigrant
22 Juvenile Status or your work authorization or your
23 deferred action had been revoked?

24 A. No.

25 Q. And when you first came into the United States, did

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1 you receive any papers from immigration to go to
2 immigration court?

3 A. Yes.

4 Q. Did those papers have a time and date for you to go
5 to court?

6 A. Yes.

7 Q. Did you ever receive any notice from the court?

8 A. Yes.

9 Q. The immigration court or could you be talking about
10 family court?

11 A. Family.

12 Q. When you went to family court, was that for the
13 special immigrant juvenile papers so your dad could get
14 custody?

15 A. Can you repeat the question?

16 Q. When you went to family court, what was family court
17 for?

18 A. I don't understand the question.

19 THE COURT: I'm going to stop you there.

20 This is kind of outside of his competence.

21 MS. ADLAM: Thank you, Your Honor.

22 I'll withdraw the question.

23 BY MS. ADLAM:

24 Q. Since being in the United States, have you been
25 complying with all of the immigration requirements, to

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1 your knowledge?

2 A. Yes.

3 Q. Have you ever been arrested in the United States for
4 committing a crime?

5 A. No.

6 MS. ADLAM: Your Honor, I have no further
7 questions.

8 THE COURT: Any cross-examination?

9 MR. PRICE: Yes, Your Honor.

10 CROSS-EXAMINATION

11 BY MR. PRICE:

12 Q. Mr. Alfaro, good afternoon.

13 I just want to confirm. So when you said that
14 you -- after you had been detained initially you were
15 released into the custody of your father's wife.

16 Is that correct?

17 A. Yes.

18 Q. But that was not your biological mother?

19 A. No.

20 Q. Have you been actually living with your father
21 then -- strike that.

22 At the time that you were released into the
23 custody of your father's wife, were you also living with
24 your father at the same time?

25 A. Yes.

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1 They live together.

2 Q. So basically you have been -- since you were
3 released, you have been living with your father the whole
4 time.

5 Is that correct?

6 A. Yes, but she looked after me.

7 MR. PRICE: I don't have anything further, Your
8 Honor.

9 THE COURT: Just one quick thing.

10 The day you were arrested, was it your
11 stepfather that was with you or your father?

12 THE WITNESS: My dad.

13 THE COURT: Was he arrested too?

14 THE WITNESS: Yes.

15 THE COURT: Has he been released?

16 THE WITNESS: Yes.

17 THE COURT: What about the third person in the
18 car?

19 Was he arrested?

20 THE WITNESS: Yes.

21 THE COURT: Has he been released?

22 THE WITNESS: No.

23 He's still detained.

24 THE COURT: Okay.

25 Anyone want to follow up on any of that?

1 MS. ADLAM: No, Your Honor.

2 MR. PRICE: No, Your Honor.

3 THE COURT: You can step down, sir.

4 Thank you.

5 (Witness steps down.)

6 THE COURT: Any further witnesses?

7 MS. ADLAM: No, Your Honor.

8 THE COURT: Anything further?

9 MR. PRICE: None for respondent.

10 THE COURT: Okay.

11 So I have the petition -- counsel, have you
12 filed a brief in response or you haven't as yet?

13 MR. PRICE: To the petition itself?

14 THE COURT: Yes.

15 MR. PRICE: No, Your Honor.

16 THE COURT: Do you wish to do so?

17 MR. PRICE: Yes, Your Honor.

18 We raised the issue of potential jurisdictional
19 issue and the initial hearing and, as I understand it, I
20 believe Your Honor just recently issued a standing order.
21 I don't know if that would apply retroactively in terms of
22 briefing the underlying petitions.

23 THE COURT: I don't think so because this one's
24 a little bit different.

25 I'm just trying to ease the burdens with that

1 order. I don't know if it's going to work. Can you get
2 me whatever brief you would like to file within ten days?

3 MR. PRICE: Yes, Your Honor.

4 THE COURT: Okay.

5 And if you have any brief reply you will do it
6 three days thereafter.

7 MS. ADLAM: Thank you, Your Honor.

8 THE COURT: Anything else anybody needs to raise
9 for today?

10 MR. PRICE: Nothing from respondent, Your Honor.

11 MS. ADLAM: No.

12 THE COURT: One thing you might want to think
13 about in the briefing, both sides, there's some language
14 in the statute around SIJ status that the individual would
15 be deemed paroled for certain purposes.

16 Now, the testimony today suggested that might
17 not matter anyway, but I'm not sure it wouldn't matter.
18 But if you have anything to say about that I would be
19 interested.

20 MS. ADLAM: Yes, Your Honor.

21 MR. PRICE: Yes, Your Honor.

22 THE COURT: Anything further?

23 MS. ADLAM: Your Honor, I wanted to make sure
24 that the court got my last two submissions.

25 THE COURT: Wait. One was a visa bulletin?

1 MS. ADLAM: One is the visa bulletin.

2 THE COURT: And the other was the juvenile
3 records.

4 MS. ADLAM: Yes.

5 THE COURT: I got both of those.

6 MS. ADLAM: Okay.

7 THE COURT: I don't know who has the work
8 authorization card.

9 Do you still have it or not?

10 MS. ADLAM: I'm going to ask my client.

11 Normally they take it.

12 (There was a pause in the proceedings.)

13 MS. ADLAM: It's still with his property in
14 New Jersey he said.

15 THE COURT: A, we should get him -- what other
16 property is there?

17 MS. ADLAM: His telephone, his driver's license
18 and his clothing.

19 THE COURT: Okay.

20 MS. ADLAM: And his wallet.

21 THE COURT: Counsel, can we arrange to get him
22 his property back, to the extent that it's returnable?

23 MR. PRICE: Yes, Your Honor.

24 THE COURT: Okay.

25 Do that as soon as we can. But I'd like to see

1 the back of the work authorization card because I think it
2 provides some things and I'd be interested in that.
3 Whoever has it, get me the back of the work authorization
4 card, please.

5 One other thing I was going to ask. The NTA
6 that was issued in this case, and I don't think any of the
7 witnesses were familiar with it otherwise I would have
8 asked them, but it said there was a list of attorneys
9 attached for representational purposes, attorneys who can
10 represent you for free or something.

11 I'm wondering if that happened and, if so, I'd
12 like to see the list, okay?

13 MR. PRICE: Yes, Your Honor.

14 THE COURT: Excellent.

15 Anything further?

16 MS. ADLAM: Nothing, Your Honor.

17 I'm checking to see if I have a copy of the
18 back.

19 THE COURT: You only gave me the front.

20 MS. ADLAM: I don't have a copy of the back.

21 THE COURT: Okay.

22 Good work, everybody. Thank you for your time.

23 MS. ADLAM: Thank you, Your Honor.

24 THE COURT: Have a great day.

25 MS. ADLAM: Thank you.

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MR. PRICE: Thank you, Your Honor.

THE COURT: Good day to you all.

(The matter concluded.)

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