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**DETAINED**

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**BOARD OF IMMIGRATION APPEALS**

| | | |
|---|---|---|
| **In the Matter of** | ) | |
| **Luis Ernesto Lliguishusca Loja** | ) | **File No. A 240-159-856** |
| **In Removal Proceedings** | ) | |

# RESPONDENT'S MOTION TO REMAND TO THE IMMIGRATION JUDGE

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**BOARD OF IMMIGRATION APPEALS**

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| **In the Matter of** | ) | |
| **Luis Ernesto Lliguishusca Loja** | ) | **File No. A 240-159-856** |
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**RESPONDENT'S MOTION TO REMAND TO THE IMMIGRATION JUDGE**

## I. INTRODUCTION

Respondent, through undersigned counsel, requests that this Honorable Board remand proceedings to the Immigration Judge so that the attached evidence can be considered in support of his request for asylum, withholding of removal, and protection under the Convention Against Torture, because it is material and was previously unavailable to Immigration Judge ("IJ") Mullins. *See Matter of Coelho*, 20 I&N Dec. 464 (BIA 1992).

Remand is compelled by three independently sufficient grounds: (1) the Immigration Judge's order of removal rests on a clearly erroneous factual predicate, as Respondent had in fact filed his Form I-589 before the January 12, 2026 hearing. S*ee* Exhibits D, E, F, G, N; (2) the finding of abandonment is legally untenable because government obstruction at Mesa Verde ICE Processing Center, specifically, the facility's seventeen-day withholding of Respondent's legal mail, was the sole proximate cause of any delay in filing *See* Exhibits H, I, J, K; and (3) the Immigration Judge failed to develop the record, both as to the asylum application that had been

filed with and received by the court and as to the legal representation Respondent expressly invoked at the hearing, in violation of her heightened duty toward a detained, unrepresented respondent. *See* Exhibits A, B.

The underlying asylum claim is substantive and credible. Respondent was targeted beginning at age thirteen by the criminal gang Los Lobos in Cañar, Ecuador, suffering repeated physical attacks and death threats directed at him and his family. *See* Respondent's Aff. ¶¶ 4–7 (Exhibit A); *see also* Exhibit M.

He entered the United States without inspection at age sixteen, having never been apprehended by border officials or informed of his rights as an unaccompanied minor. *See* Respondent's Aff. ¶¶ 10–11 (Exhibit A). He has no criminal history in either country. *See* Respondent's Aff. ¶ 19 (Exhibit A). He spent more than two years working and supporting his family in Albany, New York, before being arrested by ICE without a warrant. *See* Respondent's Aff. ¶¶ 13–14, 20 (Exhibit A). He should have the opportunity to present his asylum claim on the merits. The removal order that currently stands against him was entered on an incomplete and procedurally deficient record, and justice requires that it be vacated and the matter remanded. *See* Exhibit N

## II. PROCEDURAL HISTORY AND RELEVANT FACTS

Respondent is a citizen and national of Ecuador born on May 24, 2006. He entered the United States on May 22, 2023, at the age of sixteen, crossing the border without inspection in Texas. He was not apprehended by border agents, was never processed through ORR or any shelter facility, and received no Notice to Appear at that time, nor any information about his rights as an unaccompanied minor. *See* Respondent's Aff. ¶¶ 1, 10–11 (Exhibit A).

He traveled directly to Albany, New York, where he lived with family members, worked full-time in roofing construction for Pinnacle Roofing, and became the primary financial provider for his household and for his mother and younger brother in Ecuador. He has no criminal history in either country. *See* Respondent's Aff. ¶¶ 12–14 (Exhibit A); *see also* Exhibit L.

On August 6, 2025, ICE officers arrested Respondent in Albany without a warrant as he was traveling to work. *See* Respondent's Aff. ¶¶ 20–21 (Exhibit A); Santanna Aff. ¶ 5 (Exhibit B); Silva Aff. ¶ 5 (Exhibit C). Respondent was subsequently transferred through several detention facilities before arriving at Mesa Verde ICE Processing Center in Bakersfield, California, where he has remained detained since. *See* Respondent's Aff. ¶ 23 (Exhibit A).

A Notice to Appear was issued and removal proceedings were initiated before the Batavia Immigration Court. On August 28, 2025, a bond hearing was held at the Batavia Immigration Court, which denied bond on the ground that Respondent was a flight risk, a finding that itself rested on the erroneous factual conclusion that he had no immediate family in the United States. *See* Respondent's Aff. ¶ 16 (Exhibit A).

Beginning in December 2025, undersigned counsel undertook limited-scope pro bono representation to assist Respondent in preparing and filing his Form I-589. Counsel prepared the application and sent it to Respondent at Mesa Verde ICE Processing Center, along with instructions for Respondent to review, complete, and sign the form and return it, on or about December 4, 2025, via FedEx priority mail. *See* Exhibit H.

The FedEx tracking records confirm that the package arrived at the Mesa Verde facility on December 5, 2025. *See* Exhibit I. However, the facility did not deliver the legal mail to Respondent for approximately seventeen days, and Respondent only received the documents on

December 22, 2025. On that same day, Respondent promptly reviewed all the documents, completed six pages of biographical information by hand, wrote three additional pages detailing the persecution he suffered in Ecuador, signed and dated the Form I-589, and immediately returned the signed documents to detention facility staff for mailing using the prepaid FedEx envelope included in the package. *See* Exhibits A, L. Despite Respondent completing and returning the documents on the same day he received them, counsel's office received the signed package only on December 29, 2025. *See* Exhibits I, J, K; *see* also Exhibits A and B.

Counsel acted without further delay. The filing fee was paid on January 6, 2026 (EOIR Payment Tracking ID 27UGI9E6). *See* Exhibit E. On January 8, 2026, the complete filing package, containing the signed Form I-589, the asylum fee receipt, and Form EOIR-61 (Notice of Entry of Limited Appearance for Document Assistance), was mailed to the Adelanto Immigration Court via FedEx priority mail, with simultaneous service on DHS. *See* Exhibit F.

Because undersigned counsel was not counsel of record in the removal proceedings and appeared only under a limited-scope representation for document filing purposes, the package could not be filed electronically through ECAS and was submitted by physical mail. The FedEx tracking records confirm that the package arrived at the Immigration Court on January 12, 2026, the same day as the scheduled master calendar hearing. *See* Exhibit G.

Because the application had not been logged into the court's file by the time the hearing began on the morning of January 12, Immigration Judge Mullins found that no relief application existed and deemed all relief abandoned on the record. *See* Exhibit N. As set forth in Respondent's sworn affidavit, when the Immigration Judge asked whether he had obtained an attorney and whether he had filed an asylum application, Respondent answered affirmatively to both questions, stating that he had retained an attorney who was handling his asylum case and

that the attorney had already submitted the asylum application on his behalf. *See* Respondent's Aff. ¶ 40 (Exhibit A); Santanna Aff. ¶ 28 (Exhibit B); Silva Aff. ¶ 27 (Exhibit C).

The Immigration Judge checked the court's system, found no application on file, and proceeded to order Respondent removed to Ecuador. The Immigration Judge did not inquire further into the reasons for the application's absence from the system, did not ask Respondent for the name or contact information of his attorney, and did not provide any opportunity for Respondent to explain the circumstances. *See* Respondent's Aff. ¶¶ 40–41 (Exhibit A); Santanna Aff. ¶¶ 28–31 (Exhibit B); Silva Aff. ¶¶ 27–30 (Exhibit C). DHS waived appeal; Respondent reserved. The appeal deadline was February 11, 2026.

On February 1, 2026, undersigned counsel filed a Motion to Reopen before the Immigration Court. On February 10, 2026, counsel filed a Notice of Appeal (EOIR-26) with this Board. On February 13, 2026, IJ Mullins denied the Motion to Reopen on jurisdictional grounds, finding that the filing of the Notice of Appeal had divested the Immigration Court of jurisdiction. The appeal is currently pending. *See* Exhibit P (IJ Order Denying Mot. to Reopen, Feb. 13, 2026); *see also* Santanna Aff. ¶ 41 (Exhibit B).

On January 13, 2026, the Adelanto Immigration Court issued a Rejected Filing Notice returning an EOIR-61 (limited appearance form for document assistance) on the ground that the case was "not pending" at that court. *See* Exhibit O. The EOIR-61 had been filed by undersigned counsel together with the Form I-589 and the asylum fee receipt as part of the same filing package submitted on January 8, 2026. *See* Santanna Aff. ¶ 25 (Exhibit B); Silva Aff. ¶ 24 (Exhibit C); *see also* Exhibit F (FedEx receipt for January 8 mailing).

The Rejected Filing Notice reflects that on January 13, 2026, the day after the Immigration Judge issued the order of removal, the case was no longer pending before the

Adelanto Immigration Court. This is consistent with the order of removal having closed the proceedings on January 12, 2026. The notice corroborates the filing timeline, however, because it confirms that the EOIR-61 and the accompanying I-589 package had been received by the court, triggering a court response, even if that response was a rejection on procedural grounds. *See* Exhibit O; *see also* Exhibit G (FedEx tracking records confirming delivery on January 12, 2026); Santanna Aff. ¶¶ 25–26 (Exhibit B); Silva Aff. ¶¶ 24–25 (Exhibit C).

## III. ARGUMENT

### *A. Remand Is Required Because the Board Cannot Resolve This Appeal Without Further Factfinding by the Immigration Judge.*

Pursuant to 8 C.F.R. § 1003.1(d)(3)(iv), "A party asserting that the Board cannot properly resolve an appeal without further factfinding must file a motion for remand. If new evidence is submitted on appeal, that submission may be deemed a motion to remand and considered accordingly. If further factfinding is needed in a particular case, the Board may remand the proceeding to the immigration judge or, as appropriate, to DHS."

The standards governing a motion to remand are the same as those applicable to a motion to reopen. *See Matter of Coelho*, 20 I&N Dec. 464, 473 (BIA 1992). A motion to remand must be supported by evidentiary material, including new applications for relief if applicable. *Id* at 471-472. The party seeking remand bears a heavy burden of demonstrating that, if the motion were granted, the new evidence would likely change the outcome of the proceedings. *Id* at 473.

Because the criteria for a motion to remand and a motion to reopen are the same, these two procedural vehicles are functionally interchangeable in many respects: where one is appropriate, the other may be as well. The submissions filed herewith constitute new and previously unavailable evidence that satisfies the evidentiary requirements for both.

This evidence includes: the complete Form I-589 (Exhibit D), which was filed with the court but never logged or reviewed by the Immigration Judge; three sworn affidavits from Respondent and counsel documenting the circumstances of the filing and the obstruction at Mesa Verde (Exhibits A, B, C); FedEx tracking records and mailing receipts documenting the timeline of the filing (Exhibits F, G, H, I); records of calls and email correspondence with Mesa Verde detention staff (Exhibits J, K); evidence of persecution including screenshots of threatening messages (Exhibit M); the Rejected Filing Notice of January 13, 2026 (Exhibit O); and the Immigration Judge's order of removal (Exhibit N).

None of this evidence was part of the record before the Immigration Judge. The Form I-589 was physically present at the courthouse but had not been logged into the court's system by the time the hearing commenced. The affidavits, tracking records, correspondence logs, and evidence of persecution were generated or compiled after the January 12, 2026 hearing in the course of preparing this appeal and could not have been presented to the Immigration Judge. The Rejected Filing Notice was issued on January 13, 2026, the day after the hearing. Each of these items is material to the outcome because, taken together, they demonstrate that Respondent filed a meritorious asylum application before the hearing, that government obstruction caused any perceived delay, and that the Immigration Judge's finding of abandonment was clearly erroneous.

### *B. The Finding That Respondent "Failed to Apply for Relief" Is Clearly Erroneous.*

The Board reviews findings of fact for clear error. 8 C.F.R. § 1003.1(d)(3)(i). The Immigration Judge's core factual finding, that no relief application existed as of the January 12, 2026 hearing, is directly contradicted by the documentary record. Respondent's Form I-589 was signed on December 22, 2025. *See* Exhibits A, L. The filing fee was processed by EOIR on January 6, 2026 (Tracking ID 27UGI9E6). *See* Exhibit E. The complete application was mailed

to the Adelanto Immigration Court on January 8, 2026. *See* Exhibit F. FedEx tracking records confirm it arrived at the court on January 12, 2026, the date of the hearing itself. *See* Exhibit G. Counsel simultaneously served a copy on DHS-ICE on January 8, 2026.

The application had therefore already arrived and been filed by the date of the hearing, as confirmed by the FedEx delivery records. *See* Exhibit G. The IJ Order of January 12, 2026, reflects only that the court deemed relief abandoned and does not indicate that the application was reviewed and denied on the merits. *See* Exhibit N.

Moreover, in adjudicating a motion to reopen, factual assertions supported by affidavits are generally accepted as true unless inherently unbelievable. *See INS v. Abudu*, 485 U.S. 94, 104 (1988) (discussing prima facie review in reopening proceedings). The sworn affidavits of Respondent, counsel, and co-counsel submitted herewith confirm that the I-589 was filed prior to the hearing and had already been received by the court. *See* Exhibits A, B, C. A finding of abandonment on these facts is clearly erroneous.

### *C. The Finding of Abandonment Is Legally Untenable Because of Government Obstruction.*

Even accepting the premise that filing on the day of the hearing was procedurally late, which Respondent contests, any delay in filing is attributable not only to the facility's direct withholding of legal mail, but to the broader pattern of obstruction of communication and access to information that Respondent has faced throughout his detention. Mesa Verde restricts attorney-client communication to paid telephone calls with strict time limits and poor audio quality; video conferences require weeks of advance scheduling for limited slots; and legal mail, as documented here, has been systematically delayed.

Counsel prepared the Form I-589 and sent it to Respondent on December 4, 2025, for his review, completion, and signature, more than five weeks before the January 12, 2026 hearing.

*See* Exhibit H. Under ordinary circumstances, that timeline would have allowed ample time for Respondent to complete and return the form for filing well in advance. Mesa Verde's withholding of the package for nearly three weeks, compounded by severe limitations on Respondent's ability to communicate with counsel, directly caused the filing to reach the court on the day of the hearing rather than weeks before. *See* Exhibits A, B, I, J, K.

The law does not support a finding that an asylum application has been abandoned where the record demonstrates diligent efforts to pursue relief and the failure to timely file resulted from circumstances outside Respondent's control. *See Matter of C-A-R-R-*, 29 I&N Dec. 13 (BIA 2025); *Matter of Interiano-Rosa*, 25 I&N Dec. 264 (BIA 2010); 8 C.F.R. § 1003.31(h).

Where the government is the proximate cause of a failure to file, a finding of abandonment is impermissible. The record here demonstrates affirmatively that Respondent never intended to abandon his asylum claim. To the contrary, the evidence shows that Respondent actively retained counsel, completed a detailed asylum application by hand, and returned it on the same day he received it. What remained *unseen* by the Immigration Judge was not the product of Respondent's inaction, but of the detention facility's obstruction and the court's administrative failure to process a filing that had already been delivered.

The Ninth Circuit has long recognized that detained immigrants must be afforded meaningful access to legal processes, and that government interference with that access implicates constitutional due process. *See Orantes-Hernandez v. Meese,* 685 F. Supp. 1488 (C.D. Cal. 1988), aff'd, 919 F.2d 549 (9th Cir. 1990) (establishing comprehensive injunctive requirements to protect detained aliens' access to counsel and legal processes).

The principle that government-created barriers preclude adverse consequences for the resulting delay is reinforced by the Ninth Circuit's equitable tolling framework for immigration

filings. *See Socop-Gonzalez v. INS*, 272 F.3d 1176, 1193 (9th Cir. 2001) (en banc) (holding that filing deadlines are subject to equitable tolling where, despite due diligence, the party was unable to timely act due to circumstances outside his control); *see also Matter of Morales-Morales*, 28 I&N Dec. 714 (BIA 2023) (recognizing that equitable tolling applies where extraordinary circumstances prevented timely filing and the party acted diligently).

Mesa Verde's seventeen-day delay in delivering the legal mail compressed the available window and directly caused the application to arrive at court on the day of the hearing rather than weeks before.

The government cannot simultaneously obstruct the filing process and then treat the resulting delay as voluntary abandonment. The law does not sanction that result, and this Board should decline to endorse it.

Despite being nineteen years old, detained, without English proficiency, and without a high school education, Mr. Loja actively sought legal counseling, retained counsel, and signed a Form I-589 application for asylum. From his perspective, he had done what was required of him: he had applied for asylum. He had no way of knowing, and no means, while detained, of independently verifying, whether the application had been received by the court, docketed, or accepted for filing. *See* Exhibits A, B. These are precisely the circumstances that courts have recognized as requiring the most careful protection of due process rights.

### *D. The Immigration Judge Violated Her Heightened Duty to Develop the Record for a Detained, Unrepresented Respondent.*

The Ninth Circuit has firmly established that immigration judges bear a heightened duty to develop the record when a respondent is pro se. *Jacinto v. INS,* 208 F.3d 725, 728 (9th Cir. 2000) ("immigration judges are obligated to fully develop the record in those circumstances where applicants appear without counsel"). This duty is further heightened when the respondent

is also detained, which severely restricts access to counsel, legal materials, and the ability to independently investigate and present claims. *See Quintero v. Garland,* 998 F.3d 612, 618-20 (4th Cir. 2021).

At the January 12, 2026 master calendar hearing, Respondent appeared without counsel present. As set forth in his sworn affidavit, when the Immigration Judge asked whether he had obtained an attorney and whether he had applied for asylum, Respondent stated that he had retained an attorney who was handling his asylum case and that the attorney had already submitted the asylum application on his behalf. *See* Respondent's Aff. ¶ 40 (Exhibit A); Santanna Aff. ¶¶ 28–29 (Exhibit B); Silva Aff. ¶¶ 27–29 (Exhibit C).

The Immigration Judge's duty to develop the record extended not only to the status of Respondent's asylum application, but also to the question of legal representation, particularly where the respondent's status as unrepresented results from the limited scope of an existing appearance.

Confronted with Respondent's affirmative statement that he had counsel handling his asylum case, the Immigration Judge was obligated to inquire further, into counsel's identity, the scope of representation, the steps counsel had taken on Respondent's behalf, and the reason for counsel's absence from the hearing. Instead of developing the record on either point, the Immigration Judge proceeded directly to a finding of abandonment.

IJ Mullins did not look into Respondent's assertion that he had applied for asylum or inquire into the reasons for the application's absence from the court's system. The Immigration Judge did not ask for the name or contact information of Respondent's attorney, did not attempt to verify whether a filing was in transit or had been received, and did not take any steps to develop the record before entering a final order of removal. *See* Exhibit N; Respondent's Aff. ¶¶

40–41 (Exhibit A); Santanna Aff. ¶¶ 28–30 (Exhibit B); Silva Aff. ¶¶ 27–30 (Exhibit C). This failure to investigate an affirmative representation that directly determined the outcome of the proceeding is precisely the record-development failure condemned in *Jacinto*.

Had the Immigration Judge made even the most basic inquiry, she would have discovered that the I-589 had been mailed on January 8, that the FedEx package had arrived at the court that very morning, and that an attorney had been retained. *See* Exhibits F, G; Respondent's Aff. ¶ 40 (Exhibit A); Santanna Aff. ¶¶ 25, 28 (Exhibit B); Silva Aff. ¶¶ 24, 27 (Exhibit C). Remand is necessary so that this basic record development can occur.

### *E. The Cumulative Effect of These Errors Violated Respondent's Right to Due Process.*

The Fifth Amendment's Due Process Clause guarantees individuals in removal proceedings a meaningful opportunity to be heard. *Mathews v. Eldridge*, 424 U.S. 319 (1976); *Landon v. Plasencia*, 459 U.S. 21, 32-33 (1982). A removal order entered without ever examining the merits of an asylum application, where that application was filed, paid for, and present at the courthouse on the day of the hearing, does not satisfy due process.

The due process failure here results from the convergence of: (i) Respondent's detention and structural inability to verify the status of his filings; (ii) the obstruction of communication and access caused by the detention facility's handling of legal mail and telephone calls; (iii) the administrative confusion in the court's intake of the I-589 package, as confirmed by the Rejected Filing Notice issued the day after the hearing; and (iv) the Immigration Judge's failure to develop the record, both as to the asylum application physically present in the court's file and as to the legal representation Respondent expressly invoked on the record at the hearing. Each of these factors, standing alone, would warrant remand; together, they compel it.

Taken together, these overlapping failures deprived Respondent of a meaningful opportunity to have his asylum claim adjudicated. *See Matter of Interiano-Rosa*, 25 I&N Dec. 264 (BIA 2010).

### *F. The Form I-589 and Accompanying Evidence Constitute New and Previously Unavailable Evidence That Independently Justifies Remand, and Respondent Has Demonstrated Prima Facie Eligibility for Asylum.*

Pursuant to 8 C.F.R. § 1003.1(d)(3)(iv), where, as here, the Immigration Judge did not examine the merits of the asylum application, the Board cannot evaluate those merits without the IJ making findings of fact first. Remand is therefore independently required on this ground alone, as the Board lacks the factfinding authority to adjudicate an I-589 that was never reviewed by the Immigration Judge. The procedural posture of this case is precisely the situation that the regulatory framework of 8 C.F.R. § 1003.1(d)(3) anticipates: the Board cannot properly resolve the appeal without further factfinding, and remand is the appropriate remedy.

The Form I-589, Respondent's sworn affidavit, the affidavits of counsel and co-counsel, and the accompanying evidence of persecution constitute new and previously unavailable evidence satisfying the requirements of a motion to remand under *Matter of Coelho*, 20 I&N Dec. 464, 473 (BIA 1992). The I-589 was signed on December 22, 2025, and received by the Immigration Court on January 12, 2026; it was never part of the record before IJ Mullins because it had not been logged by the time the hearing began. The affidavits, FedEx tracking records, call logs, email correspondence, evidence of persecution, and the Rejected Filing Notice were all generated or compiled after the hearing and could not have been presented to the Immigration Judge. *See* Exhibits A through O. Each of these items is material, as they directly corroborate the factual basis for remand and could not have been discovered or presented at the prior proceeding.

Respondent has also demonstrated prima facie eligibility for asylum, as required to satisfy the heavy burden under *Matter of Coelho*. The I-589 presents a substantive and credible claim of persecution. Beginning in 2019, when Respondent was thirteen years old, members of Los Lobos, a criminal organization designated a Foreign Terrorist Organization by the U.S. Department of State on September 5, 2025,[1] targeted him for forced recruitment, beating him so severely they fractured his hand when he refused. The gang continued to threaten and harass him for years. In December 2021, Respondent and his family began receiving explicit death threats accompanied by photographs of weapons. In December 2022, gang members attacked him again, injuring his knee, scarring his face, and leaving him unable to move. *See* Exhibits D, L, M. Respondent did not report these attacks to the police because, as documented in the I-589, police in Ecuador are deeply corrupt and he credibly feared they would share his information with the gang rather than protect him.

The I-589 establishes Respondent's claims for relief on the bases of membership in a particular social group, political opinion, and the Convention Against Torture. This evidence, if considered on remand, would demonstrate eligibility for the protection Respondent seeks, satisfying the burden required under *Matter of Coelho.* The I-589 was never reviewed by the Immigration Judge, and neither the asylum claim nor the CAT claim has ever been adjudicated on the merits. Pursuant to 8 C.F.R. § 1003.1(d)(3)(iv), the Board cannot properly evaluate these claims without first remanding for factfinding by the Immigration Judge. Remand is the only procedurally appropriate remedy.

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[1] Foreign Terrorist Organization Designation of Los Choneros and Los Lobos, 90 Fed. Reg. 43020 (Sept. 5, 2025), pursuant to section 219 of the Immigration and Nationality Act, 8 U.S.C. § 1189. *See* also U.S. Dep't of State, Press Statement, "Terrorist Designations of Los Choneros and Los Lobos" (Sept. 4, 2025).

### *G. This Motion Should Be Granted in the Exercise of Discretion.*

In addition to the legal grounds set forth above, Respondent respectfully submits that remand is warranted in the exercise of the Board's discretion. The equities in this case weigh overwhelmingly in favor of granting this motion.

Respondent is nineteen years old. He entered the United States at the age of sixteen as an unaccompanied minor fleeing gang violence in Ecuador. He has no criminal history in either country. During the more than two years he lived in Albany, New York, he worked full-time in roofing construction, became the primary financial provider for his household, sent remittances to his mother and younger brother in Ecuador, attended Mass every Sunday, and participated in religious community events. He established meaningful ties to his community and demonstrated the kind of good moral character that supports a favorable exercise of discretion. *See* Respondent's Aff. ¶¶ 1, 10–11, 13–14, 17–19 (Exhibit A).

Respondent has now been in immigration custody for nearly a year. Throughout his detention, he has complied with all facility rules and has actively pursued every legal avenue available to him: he sought legal assistance, retained counsel, completed his asylum application, and cooperated fully with his legal team. *See* Respondent's Aff. ¶¶ 20–23, 25, 27, 31–35, 42 (Exhibit A)

The removal order entered on January 12, 2026, is precisely the obstacle that has prevented his release from custody. Vacating that order and remanding these proceedings would remove that impediment and allow Respondent to seek bond while his asylum claim is adjudicated on the merits.

The fact of Respondent’s ongoing detention constitutes a serious impediment to his ability to present his application for relief and to compile the dispositive evidence necessary to support his claim. Granting this motion will preserve Respondent’s rights to due process, as

encompassed in the immigration statute and discussed at length herein. A remand would serve the interests of justice by ensuring that a credible claim of persecution by a designated Foreign Terrorist Organization receives the merits adjudication it has never been afforded. *See* Respondent's Aff. ¶¶ 23, 29–30, 37–38 (Exhibit A); Santanna Aff. ¶¶ 32–40 (Exhibit B); Silva Aff. ¶¶ 31–33 (Exhibit C).

Respondent submits that he would ultimately merit asylum in the exercise of discretion as well. His claim presents a compelling case of persecution by a designated FTO, corroborated by documentary evidence and consistent with well-documented country conditions in Ecuador. No adverse discretionary factors exist: he has no criminal record, no prior immigration violations, and has demonstrated consistent good character throughout his time in the United States.

**IV.CONCLUSION**

For the foregoing reasons, Respondent Luis Ernesto Lliguishusca Loja respectfully requests that this Board grant his Motion to Remand, vacate the order of removal, and remand these proceedings to the Immigration Court with instructions to accept the Form I-589 as timely filed and proceed with the case on a master calendar.

Respectfully submitted,

_____

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*Counsel for Respondent*

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
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## INDEX OF EXHIBITS IN SUPPORT OF RESPONDENT'S MOTION TO REMAND

The Respondent, Luis Ernesto Lliguishusca Loja, submits the following Exhibits A through O in support of his Motion to Remand to the Immigration Judge:

**Exhibit A:** Affidavit of Luis Ernesto Lliguishusca Loja in Support of Respondent's Motion to Remand.

**Exhibit B:** Affidavit of Natalia Vieira Santanna, Santanna Law Offices PC, in Support of Respondent's Motion to Remand.

**Exhibit C:** Affidavit of Otavio Haverroth Silva, Esq., Co-Counsel, in Support of Respondent's Motion to Remand.

**Exhibit D:** Copy of Respondent's Form I-589, Application for Asylum and for Withholding of Removal, signed by Luis Ernesto Lliguishusca Loja, as filed with the Immigration Court on January 8, 2026.

**Exhibit E:** Copy of Respondent's Payment Receipt for Form I-589, EOIR Payment Tracking ID 27UGI9E6, processed January 6, 2026.

**Exhibit F:** FedEx Receipt for Mailing of Form I-589 to the Immigration Court on January 8, 2026.

**Exhibit G:** FedEx Tracking Records Showing Form I-589 was Posted January 8, 2026, and Received by the Adelanto Immigration Court on January 12, 2026.

**Exhibit H:** FedEx Receipt for Mailing of Form I-589 to Respondent at Mesa Verde ICE Processing Center for Completion, Signature, and Return.

**Exhibit I:** FedEx Tracking Records Showing I-589 Package Arrived at Mesa Verde Detention Facility December 5, 2025, and Was Returned on December 29, 2025.

**Exhibit J:** Record of Calls Placed with Mesa Verde Detention Center Inquiring About the Delivery of Legal Documentation to Respondent.

**Exhibit K:** Email Correspondence with ICE and Mesa Verde Staff Inquiring About the Delivery of Legal Documentation to Respondent.

**Exhibit L:** Application for Asylum and for Withholding of Removal Completed and Signed by Respondent on December 22, 2025.

**Exhibit M:** Evidence of Persecution and Continuous Threats on Respondent's Life.

**Exhibit N:** Order of the Immigration Judge (IJ Mullins, Adelanto Immigration Court), dated January 12, 2026, Ordering Removal and Deeming Relief Abandoned.

**Exhibit O:** Rejected Filing Notice issued by the Adelanto Immigration Court on January 13, 2026, returning the EOIR-61 (limited appearance form), Form I-589, and asylum fee receipt filed by counsel on January 8, 2026.

**Exhibit P:** Order of the Immigration Judge (IJ Mullins, Adelanto Immigration Court), dated February 13, 2026, Denying Respondent's Motion to Reopen on Jurisdictional Grounds following the Filing of the Notice of Appeal with the Board of Immigration Appeals.

# Exhibit A

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**BOARD OF IMMIGRATION APPEALS**

# AFFIDAVIT OF LUIS ERNESTO LLIGUISHUSCA LOJA IN SUPPORT OF RESPONDENT'S MOTION TO REMAND

I, Luis Ernesto Lliguishusca Loja, declare under penalty of perjury as follows:

1. My name is Luis Ernesto Lliguishusca Loja. My Alien Number (A-Number) is 240-159-856. I was born on May 24, 2006, in Ecuador. I am currently 19 years old.

2. I am a citizen of Ecuador. I am currently detained at the Mesa Verde Detention Center, located in Bakersfield, California.

3. I grew up in the rural province of Cañar, Ecuador. My father did not support me or my family. He drank a lot of alcohol. When he drank, he insulted me, my siblings, and my mother. He kicked us out of the house many times. About six years ago, my father abandoned our family. I have not had his support since then.

4. In 2019, when I was 13 years old, three gang members approached me. They told me to join their gang, called "Los Lobos." I refused. They beat me very hard and fractured my hand. The leader's name was Luis Fajardo.

5. This gang continued threatening me for years, but I refused to join because I did not support their criminal activities.

6. In December 2021, I received messages from Luis Fajardo and other gang members. They told me: "We are going to kill your family; your mother and you." They sent me photos of weapons. We were so afraid that my family stopped leaving the house and I stopped going to school. For this reason, I did not finish high school.

7. In December 2022, they attacked me again. I was coming back from work at night when they cornered me. They beat me very hard, injuring my knee and leaving visible scars on my face. My mouth was bleeding a lot. I could not move and I stayed on the road all night.

8. I did not go to the police because I was afraid they would find out and come after me for reporting them. Also, the police are very corrupt in my country and they could give my information to the gang.

9. I am very afraid to return to Ecuador. The gang "Los Lobos" is still active in the area where my mother and younger brother live. Luis Fajardo and the other gang members are still dangerous. If they deport me to Ecuador, I believe they are going to kill me. They have already shown they are willing to carry out their threats.

10. I entered the United States on May 22, 2023. At that time I was only 16 years old and I crossed the border alone, but I was not detained by border agents.

11. No immigration officer stopped me when I crossed. I did not receive a Notice to Appear. I did not have any interview with immigration officers. No one informed me about protections for unaccompanied minors.

12. I went directly to Albany, New York. I lived with my older brother, José Fabián Lliguishusca Loja, and my cousin, Luis Antonio Loja, at 30 Alden Avenue.

13. Within four days, I started working in roofing construction for Pinnacle Roofing. I worked constantly for more than two years until my detention.

14. I became the main person who paid for my family's needs. I supported my sister and her four-year-old daughter. I sent money to my mother, María Manuela Loja Guamán, who has serious health problems, and to my younger brother, who lives with her in Ecuador. I paid for rent, food, medicines, and other expenses.

15. While I was in Albany, I talked to a lawyer about trying to apply for Special Immigrant Juvenile Status, but I couldn't pay for it and I didn't have the support to finish that process.

16. On August 28, 2025, I appeared before the Immigration Judge for a bond hearing at the Batavia Immigration Court. The judge denied my bond, finding that I was a flight risk, and because I had "no immediate family" in the United States. This was incorrect. My sister, María Balvina Lliguishusca Loja, lives in Albany, New York, and submitted a letter in support of my bond request. My cousin, María Transito Loja Duchi, a U.S. citizen, agreed to sponsor me and submitted a sponsorship letter. I do not understand why I was considered a flight risk. I lived and worked in the same area

for over two years. I have no criminal record. I have family ties in Albany. I wanted to resolve my immigration case, not run from it.

17. Later, I lived at 78 Benson Street in Albany with my sister Maria Balvina, my brother José Fabián, my cousins Manuel Darío Loja Sinbaina and Antonio Loja, and my niece.

18. I went to Mass on Sundays. I participated in religious events such as Holy Week and Day of the Dead. My life was work, church, and supporting my family.

19. I have no criminal record in Ecuador or in the United States. I have never been arrested or had contact with any authorities before my detention in August 2025.

20. On August 6, 2025, around 6:00 a.m., officers stopped the vehicle we were in on our way to work, approximately 10 minutes from our house at 78 Benson Street. There were five unmarked vans. Most of the officers were not wearing uniforms and had their heads covered. Only one car had sirens and lights. The officers asked if anyone had legal status. They did not show me a warrant.

21. The officers handcuffed my hands, feet, and waist and took me to an ICE office. I did not resist. I followed their orders.

22. The officers offered me voluntary departure. I refused and said I wanted to see a judge. My brother José Fabián accepted voluntary departure and was removed to Ecuador after approximately three weeks. My cousin Manuel, who had a work permit and Social Security number, and my cousin Antonio Loja were also removed. I could not call my family after they took me.

23. I remained in Batavia until approximately September 12, 2025. Then I was transferred by airplane to Louisiana, where I spent one week in extremely bad conditions. There were no mattresses, so we had to sleep on the floor, and the food was very poor. After one week in Louisiana, I was transferred again to Mesa Verde Detention Facility in California, where I arrived in mid-September 2025.

24. I had three master hearings at Mesa Verde. My first Notice to Appear had a hearing scheduled for September 15, 2025 in Albany, but it was canceled because I was transferred to California. The first hearing happened on October 10, 2025, and the

second on November 14, 2025. I said I was going to get a lawyer. A new hearing was scheduled for January 2026.

25. In November 2025, I hired attorneys Natalia Vieira Santanna and Otavio Haverroth Silva to help me with a federal Habeas Corpus. The contract was only for that, it did not include Immigration Court or the asylum application. Above all, I wanted to be released so that I could return to my routine and continue my immigration process from my home in New York. My health was compromised, and my sister needed my support at home. In addition, I needed to return to work in order to afford an attorney to handle my asylum case, which is a more expensive process. I wanted to resolve this urgent situation first and then continue with my immigration case as required, but I only had the financial means to address one matter at a time.

26. However, after attorney Otavio spoke with me on November 20, 2025 and I told him about the persecution I suffered in Ecuador by the gang "Los Lobos," he and attorney Natalia decided to help me prepare my asylum application. They did not charge me anything for this help.

27. Throughout November and December 2025, I spoke several times by phone with the legal team. I told them my whole story: the gang attacks, the death threats, the photos of weapons they sent me, and my fear of returning to Ecuador.

28. On December 4, 2025, the legal team sent my Form I-589 and other documents to Mesa Verde for me to sign. That same day, my sister María Balvina informed me that the legal team had told her that the documents had already been sent for me to sign. The package included a letter with clear instructions on how to sign and a prepaid FedEx envelope so I could return the signed documents.

29. The legal team informed me that the package arrived at Mesa Verde on December 5, 2025. However, I did not receive access to these documents until December 22, 2025.

30. During all that time, I did not know where my documents were. No one explained to me why I could not receive them. I was very worried because I knew I had a scheduled hearing and needed to submit my asylum application. All communication at the detention center is in English. I do not speak or understand English. This has made it very hard for me to understand my rights, the legal process and the detention center procedures.

31. On December 22, 2025, the Mesa Verde staff finally gave me the package with my Form I-589. I immediately reviewed all the documents and carefully followed the instructions that the legal team had sent me.

32. Following the instructions in the document I received from the law office, I filled out six pages by hand with information that should be included in Form I-589. This information included details about my personal history, my family, my work, and other important data for my case.

33. In addition, I wrote three complete pages by hand telling in detail about the persecution and violence I suffered in Ecuador. On these pages, I described the attacks by the gang "Los Lobos," the death threats I received from Luis Fajardo and other members, the photos of weapons they sent me, how they beat me and fractured my hand in 2019, the December 2022 attack that left me bleeding on the road all night, and my fear of returning to Ecuador.

34. After completing all these pages by hand, I signed and dated all the documents that same day, December 22, 2025. I immediately returned the signed documents to the facility staff so they could send them using the prepaid FedEx envelope that was included.

35. I did everything they asked me to do. I followed all the instructions. I filled out the six pages of information. I wrote three pages about my persecution. I signed all the documents. I did everything the same day they gave me access to the documents. I did not refuse to sign. I did not abandon my case. I wanted to submit my asylum application.

36. On January 12, 2026, I had a hearing with the Immigration Judge. I was alone. My attorneys were not with me in the room because they were only helping me with the asylum papers, not with the entire case.

37. After the judge ordered me to obtain an attorney, I looked for free legal assistance. I called approximately five attorneys from the list that I was given, and my sister called a few more, but none of them answered. The only one who answered the call said that he "only worked with North Americans, not Latin Americans." I tried to seek help as I was instructed, but it led to nothing. In addition, I did not have money to hire an attorney for this. Since I was detained, I do not work and I do not receive any income;

I have difficulty even paying for mailing costs or the phone calls that are required to handle my case. My sister had to increase her work hours, with no one to take care of her daughter, in order to pay for my habeas corpus contract, and without my financial support, she no longer has money to pay for anything else.

38. The Judge told me that this was the "third hearing" and that she had already given me "two chances" to get an attorney and submit an asylum application. She told me that I did not have an attorney and that there was no asylum application in the court system.

39. Because of this, the Judge ordered my deportation to Ecuador. The Judge thought I had not requested anything or that I had abandoned my case.

40. I told her that I had obtained an attorney and that they had submitted an asylum application on my behalf, but she checked the system and found nothing. I did not understand what that meant; all I know is what I was told: that the team had completed my asylum application and had sent it to the court, and I did not understand why it did not appear in the system. I did not know that at that time my signed papers were on their way to the court.

41. The Judge did not ask me if something had prevented me from submitting my papers on time. The Judge did not ask me if I had tried to request asylum. I was alone, without a lawyer, and I did not know how to explain all this.

42. I did everything they asked me to do. I spoke with my lawyers, I told them my story, I answered all their questions, I filled out six pages with my information, I wrote three pages telling what happened to me in Ecuador, and I signed everything the same day Mesa Verde gave me the papers on December 22, 2025.

43. I am very afraid to return to Ecuador. The gang "Los Lobos" attacked me twice. They broke my hand. They left scars on my face. They threatened to kill me and my family. They sent me photos of weapons. My family was so afraid that we did not leave the house. I know that, as long as I submit to their demands and join the gang, I will not be safe in Ecuador.

44. If they send me back to Ecuador, I believe they are going to kill me. The gang is still there, in the same place where my mother lives. Luis Fajardo and the other members have already attacked me before. They carry out their threats.

45. I came to the United States when I was only 16 years old to escape that violence. I worked hard for more than two years. I helped my family. I went to church every Sunday. I never had problems with the police. I am a good person.

46. I ask the Board to give me another opportunity to present my asylum case and have a hearing where I can tell my story.

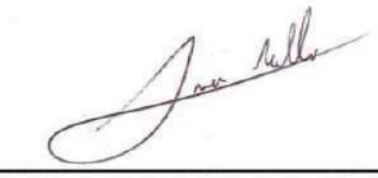
I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

/Signature/

_____ Date: 05/20/2026

Luis Ernesto Lliguishusca Loja

**I, André Penna Mello, telephone number 415 425-2508, mailing address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Spanish to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.**



_____**Date: May 20, 2026.**

**DEPARTAMENTO DE JUSTICIA DE LOS ESTADOS UNIDOS**
**OFICINA EJECUTIVA PARA LA REVISIÓN DE CASOS DE INMIGRACIÓN**
**JUNTA DE APELACIONES DE INMIGRACIÓN**

# DECLARACIÓN JURADA DE LUIS ERNESTO LLIGUISHUSCA LOJA EN APOYO A LA MOCIÓN DEL DEMANDADO PARA REMITIR EL CASO

Yo, Luis Ernesto Lliguishusca Loja, declaro bajo pena de perjurio lo siguiente:

1. Mi nombre es Luis Ernesto Lliguishusca Loja. Mi número de extranjero (A-Number) es 240-159-856. Nací el 24 de mayo de 2006, en Ecuador. Actualmente tengo 19 años de edad.

2. Soy ciudadano de Ecuador. Actualmente estoy detenido en el Centro de Detención de Mesa Verde, ubicado en Bakersfield, California.

3. Crecí en la provincia rural de Cañar, Ecuador. Mi padre no me apoyó a mí ni a mi familia. Él bebía mucho alcohol. Cuando bebía, nos insultaba a mí, a mis hermanos y a mi madre. Nos echó de la casa muchas veces. Hace aproximadamente seis años, mi padre abandonó a nuestra familia. No he tenido su apoyo desde entonces.

4. En el año 2019, cuando yo tenía 13 años de edad, tres miembros de una pandilla se me acercaron. Me dijeron que me uniera a su pandilla, llamada "Los Lobos". Yo me negué. Ellos me golpearon muy fuerte y me fracturaron la mano. El líder se llamaba Luis Fajardo.

5. Esta pandilla siguió amenazándome durante años, pero yo me negué a unirme a ella porque no apoyaba sus actividades criminales.

6. En diciembre de 2021, recibí mensajes de Luis Fajardo y otros miembros de la pandilla. Me dijeron: "Vamos a matar a tu familia; a tu madre y a ti." Me enviaron fotos de armas. Teníamos tanto miedo que mi familia dejó de salir de la casa y yo dejé de ir a la escuela. Por esta razón, no terminé la escuela secundaria.

7. En diciembre de 2022, me atacaron nuevamente. Yo venía de regreso del trabajo, de noche, cuando me acorralaron. Me golpearon muy fuerte, lastimándome la rodilla y dejándome cicatrices visibles en la cara. Mi boca sangraba mucho. No podía moverme y me quedé en el camino toda la noche.

8. No fui a la policía porque tenía miedo de que ellos se enteraran y vinieran a buscarme por haberlos denunciado. Además, la policía es muy corrupta en mi país y podrían darle mi información a la pandilla.

9. Tengo mucho miedo de regresar a Ecuador. La pandilla "Los Lobos" sigue activa en la zona donde vive mi madre y mi hermano menor. Luis Fajardo y los otros miembros de la pandilla siguen siendo peligrosos. Si me deportan a Ecuador, creo que me van a matar. Ellos ya demostraron que están dispuestos a cumplir sus amenazas.

10. Yo entré a los Estados Unidos el 22 de mayo de 2023. En ese momento tenía solo 16 años de edad y crucé la frontera solo, pero no fui detenido por agentes fronterizos.

11. Ningún oficial de inmigración me detuvo cuando crucé. No recibí una Notificación de Comparecencia. No tuve ninguna entrevista con oficiales de inmigración. Nadie me informó sobre las protecciones para menores no acompañados.

12. Fui directamente a Albany, Nueva York. Viví con mi hermano mayor, José Fabián Lliguishusca Loja, y mi primo, Luis Antonio Loja, en 30 Alden Avenue.

13. Dentro de cuatro días, comencé a trabajar en construcción de techos para Pinnacle Roofing. Trabajé constantemente durante más de dos años hasta mi detención.

14. Me convertí en la persona principal que pagaba las necesidades de mi familia. Apoyé a mi hermana y a su hija de cuatro años. Envié dinero a mi madre, María Manuela Loja Guamán, quien tiene problemas graves de salud, y a mi hermano menor, quien vive con ella en Ecuador. Pagué el alquiler, la comida, las medicinas y otros gastos.

15. Mientras estaba en Albany, hablé con un abogado sobre intentar solicitar el Estatus Especial de Inmigrante Juvenil, pero no pude pagarlo y no tenía apoyo para completar ese proceso.

16. El 28 de agosto de 2025, comparecí ante el Juez de Inmigración para una audiencia de fianza en la Corte de Inmigración de Batavia. El juez negó mi fianza, determinando que yo representaba un riesgo de fuga y porque no tenía "familia inmediata" en los Estados Unidos. Esto era incorrecto. Mi hermana, María Balvina Lliguishusca Loja, vive en Albany, Nueva York, y presentó una carta en apoyo de mi solicitud de fianza. Mi prima, María Transito Loja Duchi, ciudadana estadounidense, aceptó ser mi patrocinadora y presentó una carta de patrocinio. No entiendo por qué fui considerado

un riesgo de fuga. Viví y trabajé en la misma área durante más de dos años. No tengo antecedentes penales. Tengo lazos familiares en Albany. Quería resolver mi caso de inmigración, no huir de él.

17. Más tarde, viví en 78 Benson Street en Albany con mi hermana Maria Balvina, mi hermano José Fabián, mis primos Manuel Darío Loja Sinbaina y Antonio Loja, y mi sobrina.

18. Iba a misa los domingos. Participé en eventos religiosos como la Semana Santa y el Día de los Muertos. Mi vida era el trabajo, la iglesia y apoyar a mi familia.

19. No tengo antecedentes penales en Ecuador ni en los Estados Unidos. Nunca he sido arrestado ni he tenido contacto con ninguna autoridad antes de la detención en agosto de 2025.

20. El 6 de agosto de 2025, alrededor de las 6:00 a.m., oficiales detuvieron el vehículo en el que íbamos camino al trabajo, aproximadamente a 10 minutos de nuestra casa en 78 Benson Street. Había cinco camionetas sin identificación. La mayoría de los oficiales no llevaban uniformes y tenían la cabeza cubierta. Solo un carro tenía sirenas y luces. Los oficiales preguntaron si alguien tenía estatus legal. No me mostraron una orden judicial.

21. Los oficiales me esposaron las manos, los pies y la cintura y me llevaron a una oficina de ICE. No me resistí. Seguí sus órdenes.

22. Los oficiales me ofrecieron salida voluntaria. Yo me negué y dije que quería ver a un juez. Mi hermano José Fabián aceptó la salida voluntaria y fue removido a Ecuador después de aproximadamente tres semanas. Mi primo Manuel, quien tenía un permiso de trabajo y número de Seguro Social, y mi primo Antonio Loja también fueron removidos. No pude llamar a mi familia después de que me llevaron.

23. Permanecí en Batavia hasta aproximadamente el 12 de septiembre de 2025. Luego fui transferido en avión a Louisiana, donde pasé una semana en condiciones extremadamente precarias. No había colchones, así que todos los detenidos teníamos que dormir en el piso, y la comida era muy mala. Después de una semana en Louisiana, fui transferido nuevamente a la instalación de detención de Mesa Verde en California, donde llegué a mediados de septiembre de 2025.

24. Tuve tres audiencias master en Mesa Verde. Mi primera Notificación de Comparecencia tenía una audiencia para el 15 de septiembre de 2025 en Albany, pero fue cancelada porque me trasladaron a California. La primera audiencia se llevó a cabo el 10 de octubre de 2025, y la segunda el 14 de noviembre de 2025. Dije que iba a conseguir un abogado. Se programó una nueva audiencia para enero de 2026.

25. En noviembre de 2025, contraté a los abogados Natalia Vieira Santanna y Otavio Haverroth Silva para ayudarme con un Habeas Corpus federal. El contrato era solo para eso, no incluía la Corte de Inmigración ni la solicitud de asilo. Antes que nada, yo quería ser liberado para poder volver a mi rutina y continuar con mi proceso de inmigración desde mi casa, en Nueva York. Mi salud estaba debilitada y mi hermana necesitaba mi apoyo en el hogar. Además, necesitaba regresar a trabajar para poder pagar a un abogado que llevara mi caso de asilo, un proceso más costoso. Quería resolver primero esta situación urgente y, posteriormente, continuar con mi proceso migratorio según fuera necesario, pero solo tenía recursos económicos para atender una cosa a la vez.

26. Sin embargo, después de que el abogado Otavio habló conmigo el 20 de noviembre de 2025 y yo le conté sobre la persecución que sufrí en Ecuador por la pandilla "Los Lobos", él y la abogada Natalia decidieron ayudarme a preparar mi solicitud de asilo. Ellos no me cobraron nada por esta ayuda.

27. A lo largo de noviembre y diciembre de 2025, hablé varias veces por teléfono con el equipo legal. Les conté toda mi historia: los ataques de la pandilla, las amenazas de muerte, las fotos de armas que me enviaron, y mi miedo de regresar a Ecuador.

28. El 4 de diciembre de 2025, el equipo legal envió mi Formulario I-589 y otros documentos a Mesa Verde para que yo los firmara. Ese mismo día, mi hermana María Balvina me informó que el equipo legal le había comunicado que los documentos ya habían sido enviados para que yo los firmara. El paquete incluía una carta con instrucciones claras de cómo firmar y un sobre de FedEx prepagado para que yo pudiera devolver los documentos firmados.

29. El equipo legal me informó que el paquete llegó a Mesa Verde el 5 de diciembre de 2025. Sin embargo, yo no recibí acceso a estos documentos hasta el 22 de diciembre de 2025.

30. Durante todo ese tiempo, yo no sabía dónde estaban mis documentos. Nadie me explicó por qué no podía recibirlos. Yo estaba muy preocupado porque sabía que tenía una audiencia programada y necesitaba presentar mi solicitud de asilo. Toda la comunicación en el centro de detención se realiza en inglés. No hablo ni entiendo inglés. Esto me ha dificultado mucho comprender mis derechos, el proceso legal y los procedimientos del centro de detención.

31. El 22 de diciembre de 2025, finalmente el personal de Mesa Verde me entregó el paquete con mi Formulario I-589. Inmediatamente revisé todos los documentos y seguí cuidadosamente las instrucciones que el equipo legal me había enviado.

32. Siguiendo las instrucciones del documento que recibí del escritorio de abogados, llené a mano seis páginas con información que debía incluirse en el Formulario I-589. Esta información incluía detalles sobre mi historia personal, mi familia, mi trabajo, y otros datos importantes para mi caso.

33. Además, escribí a mano tres páginas completas contando en detalle la persecución y la violencia que sufrí en Ecuador. En estas páginas, describí los ataques de la pandilla "Los Lobos", las amenazas de muerte que recibí de Luis Fajardo y otros miembros, las fotos de armas que me enviaron, cómo me golpearon y me fracturaron la mano en 2019, el ataque de diciembre de 2022 que me dejó sangrando en el camino toda la noche, y mi miedo de regresar a Ecuador.

34. Después de completar todas estas páginas a mano, firmé y fechó todos los documentos ese mismo día, el 22 de diciembre de 2025. Devolví inmediatamente los documentos firmados al personal de la instalación para que los enviaran usando el sobre de FedEx prepagado que venía incluido.

35. Yo hice todo lo que me pidieron que hiciera. Seguí todas las instrucciones. Llené las seis páginas de información. Escribí las tres páginas sobre mi persecución. Firmé todos los documentos. Todo lo hice el mismo día que me dieron acceso a los documentos. No me negué a firmar. No abandoné mi caso. Yo quería presentar mi solicitud de asilo.

36. El 12 de enero de 2026, tuve una audiencia con la Jueza de Inmigración. Yo estaba solo. Mis abogados no estaban conmigo en la sala porque ellos solo me estaban ayudando con los papeles del asilo, no con todo el caso.

37. Después de que la jueza me ordenó conseguir un abogado, busqué asistencia legal gratuita. Llamé a aproximadamente cinco abogados de la lista que me proporcionaron, y mi hermana llamó a algunos más, pero ninguno contestaba. El único que contestó la llamada dijo que "solo atendía a norteamericanos, no a latinoamericanos". Intenté buscar ayuda como se me indicó, pero no obtuve ningún resultado. Además, no tenía dinero para contratar a un abogado para este asunto. Desde que fui detenido, no trabajo ni recibo ningún ingreso; incluso tengo dificultades para cubrir los costos de envío de correspondencia o de las llamadas telefónicas que son necesarias para llevar adelante mi caso. Mi hermana tuvo que aumentar su jornada laboral, sin nadie que cuidara de su hija, para poder pagar mi contrato de habeas corpus, y sin mi apoyo financiero, ya no tiene recursos para cubrir ningún gasto adicional.

38. La Jueza me dijo que esa era la "tercera audiencia" y que ya me había dado "dos oportunidades" para agarrar un abogado y presentar una solicitud de asilo. Me dijo que yo no tenía abogado y que no había ninguna solicitud en el sistema de la corte.

39. Por eso, la Jueza ordenó mi deportación a Ecuador. La Jueza pensó que yo no había pedido nada o que había abandonado mi caso.

40. Le dije que había conseguido un abogado y que ellos habían enviado una solicitud de asilo por mí, pero ella consultó el sistema y no encontró nada. No entendía lo que eso significaba; lo único que sé es lo que me informaron: que el equipo había terminado mi solicitud de asilo y la había enviado a la corte, y no entendía por qué no aparecía en el sistema. Yo no sabía que en ese momento mis papeles firmados estaban en camino a la corte.

41. La Jueza no me preguntó si algo me había impedido entregar mis papeles a tiempo. La Jueza no me preguntó si yo había tratado de pedir asilo. Yo estaba solo, sin abogado, y no sabía cómo explicar todo esto.

42. Yo hice todo lo que me pidieron. Hablé con mis abogados, les conté mi historia, respondí todas sus preguntas, llené seis páginas con mi información, escribí tres páginas contando lo que me pasó en Ecuador, y firmé todo el mismo día que Mesa Verde me dio los papeles el 22 de diciembre de 2025.

43. Tengo mucho miedo de volver a Ecuador. La pandilla "Los Lobos" me atacó dos veces. Me rompieron la mano. Me dejaron cicatrices en la cara. Me amenazaron de

muerte a mí y a mi familia. Me mandaron fotos de armas. Mi familia tenía tanto miedo que no salíamos de la casa. Sé que, mientras me someta a sus exigencias y me una a la pandilla, no estaré a salvo en Ecuador.

44. Si me mandan de regreso a Ecuador, creo que me van a matar. La pandilla todavía está ahí, en el mismo lugar donde vive mi mamá. Luis Fajardo y los otros miembros ya me atacaron antes. Ellos cumplen sus amenazas.

45. Yo vine a los Estados Unidos cuando tenía solo 16 años para escapar de esa violencia. Trabajé duro durante más de dos años. Ayudé a mi familia. Fui a la iglesia todos los domingos. Nunca tuve problemas con la policía. Soy una buena persona.

46. Le pido a la Junta que me dé otra oportunidad para presentar mi caso de asilo y tener una audiencia donde pueda contar mi historia.

Declaro bajo pena de perjurio que lo anterior es verdadero y correcto según mi leal saber y entender.

Fecha: 20/05/2026

Luis Ernesto Lliguishusca Loja

# Exhibit B

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**BOARD OF IMMIGRATION APPEALS**

**AFFIDAVIT OF NATALIA VIEIRA SANTANNA IN SUPPORT OF RESPONDENT'S RESPONDENT'S MOTION TO REMAND**

I, Natalia Vieira Santanna, hereby declare as follows:

1. I am an attorney licensed to practice law in the State of California (Bar No. 337502) and the State of Michigan (Bar No. P76443). I am the managing attorney at Santanna Law Offices, PC, with offices located at 1900 Fruitvale Ave, Suite 3F, Oakland, CA 94601. I have been practicing immigration law since 2012.

2. For the past thirteen years, my practice has focused on representing clients in removal defense proceedings before the Executive Office for Immigration Review, including both detained and non-detained individuals. My experience also includes representing clients in a wide range of affirmative applications and petitions before U.S. Citizenship and Immigration Services, such as humanitarian relief, asylum applications, and family-based petitions.

3. The facts stated in this declaration are true and of my own personal knowledge, except as to any matters stated on information and belief, and as to those matters, I am informed and believe them to be true.

4. I am the attorney of record for Luis Ernesto Lliguishusca Loja (A# 240-159-856), the Respondent in the above-captioned removal proceedings. I submit this affidavit in support of Respondent's Motion to Remand.

5. Around the beginning of November 2025, our offices were contacted seeking legal assistance following Mr. Lliguishusca Loja's detention by Immigration and Customs Enforcement on August 6, 2025, at Mesa Verde ICE Processing Center in Bakersfield, California.

6. After an initial consultation and review of Mr. Lliguishusca Loja's case, our offices entered into a written retainer agreement executed jointly between my office, Santanna Law Offices, PC, and the office of co-counsel Otavio Haverroth Silva, Esq., of HS Law Corp (doing business as YOUSA Law Firm).

7. The scope of representation under this paid retainer was expressly and exclusively limited to the analysis, preparation, and filing of a Federal Habeas Corpus petition before the United States District Court on behalf of Mr. Lliguishusca Loja. The retainer agreement specifically provided that the contracted services included case analysis, review of immigration and criminal history, review of the current detention and legal grounds, drafting of the Habeas Corpus petition with constitutional arguments and relevant case law, and representation before the competent Federal Court.

8. The retainer agreement expressly excluded appeals, Ninth Circuit proceedings, parallel criminal defense, or separate immigration proceedings, unless an additional contractual adjustment was made. The retainer agreement did not include representation in removal proceedings before the Immigration Court, nor did it include preparation or filing of applications for relief from removal, including Form I-589 (Application for Asylum and for Withholding of Removal).

9. During the course of our representation on the Habeas Corpus matter, co-counsel Otavio Haverroth Silva, Esq., identified Mr. Lliguishusca Loja's potential eligibility for asylum and other forms of relief from removal. After reviewing his case together and recognizing the urgency of his situation as a detained individual facing removal proceedings, we made the joint professional decision to provide pro bono assistance with the preparation and filing of his asylum application.

10. This pro bono assistance was provided entirely outside the scope of the paid retainer agreement and was motivated by humanitarian concerns and our professional obligation to ensure that Mr. Lliguishusca Loja had access to legal representation in pursuing his asylum claim. No additional fees were charged or collected for this asylum-related work.

11. Because the asylum assistance was provided pro bono and outside the scope of the original retainer, I filed a Form EOIR-61 (Notice of Entry of Appearance as Attorney in a Case Pending Before the Immigration Court) on January 8, 2026, indicating limited-scope representation solely for the asylum application. Neither I nor co-counsel filed a Form EOIR-28 (Notice of Entry of Appearance as Attorney or Representative Before the Immigration Court) for full representation in removal proceedings.

12. As a result, Mr. Lliguishusca Loja was effectively appearing pro se in the removal proceedings, although he had limited-scope counsel assistance for the asylum application.

13. Beginning early December 2025, the legal team worked diligently with Mr. Lliguishusca Loja to prepare his Form I-589. This process included multiple telephonic consultations with Mr. Lliguishusca Loja at Mesa Verde Detention Facility, during which detailed information was gathered about his background, his reasons for leaving Ecuador, and his fear of return.

14. On December 4, 2025, the legal team finished a draft of Mr. Lliguishusca Loja's Form I-589. Because Mr. Lliguishusca Loja was detained at Mesa Verde and could not come to our offices to sign the documents, the legal staff was instructed to mail the complete application package to Mesa Verde Detention Facility for his signature.

15. The legal staff prepared a cover letter with clear instructions for Mr. Lliguishusca Loja to review, sign, and date the Form I-589 and to return it to our offices as soon as possible using the enclosed pre-paid FedEx return label. Along with the Form I-589, we sent complete written instructions in Spanish with the purpose of gathering the additional information needed to finalize the application. The package was sent via FedEx Overnight on December 4, 2025, addressed to Mesa Verde ICE Processing Center, 425 Golden State Ave, Bakersfield, CA 93301, with outbound tracking number 792067135008 and return tracking number 886745758213. The return address was 5051 La Jolla Blvd #202, San Diego, CA 92109.

16. At the time the Form I-589 was sent to Mesa Verde for Mr. Lliguishusca Loja's signature, it was anticipated that the documents would be delivered to him within one to two business days, that he would be able to review and sign them promptly, and that they would be returned to our offices within this timeframe, allowing sufficient time to file the application with the Immigration Court well in advance of any hearing date.

17. FedEx tracking records confirmed that the package containing Mr. Lliguishusca Loja's Form I-589 arrived at Mesa Verde Detention Facility on December 5, 2025. True and correct copies of the FedEx receipt and tracking records are attached hereto as Exhibits D and E.

18. However, despite the confirmed delivery on December 5, 2025, Mr. Lliguishusca Loja did not receive access to the documents until December 22, 2025, almost three weeks after delivery. During this time, the legal team made multiple attempts to contact Mesa Verde Detention Facility to inquire about the status of the documents and to request that Mr. Lliguishusca Loja be given access to them for signature.

19. As detailed in co-counsel Otavio Haverroth Silva's affidavit (Exhibit B), these attempts included five telephone calls to the facility on December 11, 2025, and email correspondence sent to Mesa Verde staff and to the San Francisco ICE Field Office on December 15 and December 16, 2025. True and correct copies of email correspondence sent to Mesa Verde Detention Facility and San Francisco ICE Field Office are attached hereto as Exhibit F.

20. Despite these repeated efforts, our offices received little to no substantive response from Mesa Verde or ICE regarding the whereabouts of the documents or when Mr. Lliguishusca Loja would be able to access them.

21. On December 22, 2025, Mr. Lliguishusca Loja was finally given access to the documents by Mesa Verde staff. He promptly reviewed, signed, and dated the Form I-589 on the same day and immediately returned the signed documents to the facility staff for mailing using the pre-paid FedEx return label.

22. Our offices received the signed Form I-589 back from Mr. Lliguishusca Loja on Monday, December 29, 2025, via FedEx return tracking number 886745758213. A true and correct copy of the documents received is attached hereto as Exhibit G.

23. The timing of the return was particularly challenging due to the holiday season. Our offices were operating with reduced staff during the week between Christmas and New Year's.

24. Nonetheless, upon receiving the signed documents, the legal staff immediately began the process of completing the final sections of the Form I-589 based on information provided by Mr. Lliguishusca Loja, preparing all supporting documentation, including the payment of the fee associated with the asylum application, and assembling the complete filing package.

25. On January 8, 2026, I personally reviewed the completed Form I-589 package, filed the Form EOIR-61 indicating limited-scope representation, and authorized the legal staff to send the complete Form I-589 package to the Adelanto Immigration Court via FedEx. The package was addressed to 10250 Rancho Road, Suite 201A, Adelanto, CA 92301, with Priority Mail tracking number 887754002646 and Priority Mail return tracking number 792123881293. True and correct copies of the signed Form I-589 and the Form EOIR-61 are attached hereto as Exhibits H and I.

26. The FedEx tracking records show that the Form I-589 was in transit on January 12, 2026, the date of Mr. Lliguishusca Loja's hearing, and that it arrived at the Immigration Court that same day, after the hearing had concluded. True and correct copies of the FedEx receipt and tracking records are attached hereto as Exhibits J and K.

27. On January 12, 2026, Mr. Lliguishusca Loja appeared for his scheduled hearing before the Immigration Judge at Adelanto Immigration Court. Because I had filed only a Form EOIR-61 for limited-scope representation and had not entered a full appearance in the removal proceedings, Mr. Lliguishusca Loja appeared pro se at this hearing.

28. Based on information provided to the legal team by Mr. Lliguishusca Loja following the hearing, the Immigration Judge stated that this was his "third hearing," that he had been given "two chances," that he did not have an attorney or any application for relief on the records. According to Mr. Lliguishusca Loja, he informed the Immigration Judge he had retained counsel and filed an asylum application, but it was insisted no record of it was found and no further questions were made.

29. The Immigration Judge then issued a final order of removal against Mr. Lliguishusca Loja, apparently based on a finding that he had failed to timely apply for relief and had thus waived the applications.

30. Mr. Lliguishusca Loja was not given an opportunity to explain the circumstances surrounding the delay in filing his Form I-589, nor was he informed that the application was in transit to the Court at that very moment.

31. The Immigration Judge did not inquire into whether there were any extraordinary circumstances that had prevented timely filing, did not develop the record regarding

Mr. Lliguishusca Loja's efforts to pursue asylum, and did not fulfill the heightened duties owed to a pro se detained respondent.

32. In my thirteen years of practicing immigration law, I have represented several detained clients and have regularly sent legal documents to immigration detention facilities throughout California and other states for client signatures.

33. While delays in mail delivery and processing at detention facilities are not uncommon, the nearly three-week administrative blockage that occurred in Mr. Lliguishusca Loja's case is extraordinary and unprecedented in my experience.

34. In the ordinary course, when legal documents are sent to a detention facility via FedEx or certified mail, they are typically delivered to the detainee within two to five business days. Even accounting for facility mail processing procedures and scheduling constraints for detainee access to legal mail, documents are usually signed and returned within one week at most.

35. The fact that Mr. Lliguishusca Loja's Form I-589 was held at Mesa Verde for for nearly three weeks after confirmed delivery on December 5, 2024, despite our offices' repeated attempts to facilitate his access to the documents, constitutes a systematic barrier created by the government that prevented timely filing of his asylum application.

36. This delay was entirely beyond Mr. Lliguishusca Loja's control and entirely beyond our offices' control. At no point did Mr. Lliguishusca Loja refuse to sign the documents, express unwillingness to pursue asylum, or fail to cooperate with the legal team. To the contrary, as soon as he was given access to the documents on December 22, 2025, he immediately signed them and returned them the same day.

37. Similarly, our offices acted with diligence and good faith throughout this matter. The legal team prepared the application promptly, sent it to Mesa Verde with clear instructions and a pre-paid return label, made multiple follow-up attempts to facilitate Mr. Lliguishusca Loja's access to the documents, and immediately began processing and filing the application upon receiving it back on December 29, 2025.

38. The delay in providing Mr. Lliguishusca Loja access to his legal documents, combined with the holiday period that followed, created a compressed timeline that

ultimately resulted in the Form I-589 arriving at the Immigration Court on the same day as the hearing, but after the hearing had concluded.

39. This delay was caused by Mesa Verde Detention Facility's administrative policies, procedures, or inaction, which prevented Mr. Lliguishusca Loja from timely exercising his statutory and constitutional right to apply for asylum.

40. Mr. Lliguishusca Loja did not abandon or waive his asylum application. He diligently pursued his legal rights with the assistance of counsel, both paid and pro bono, and was prevented from timely filing his application solely by government-created barriers.

41. The removal order issued on January 12, 2026, is the product of governmental interference, procedural irregularities, and material errors of fact and law. It should be reconsidered or reopened to allow Mr. Lliguishusca Loja a full and fair opportunity to present his asylum claim on the merits.

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

_____ Date: 05/20/2026

Natalia Vieira Santanna

# Exhibit C

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**BOARD OF IMMIGRATION APPEALS**

**AFFIDAVIT OF OTAVIO HAVERROTH SILVA IN SUPPORT OF RESPONDENT'S MOTION TO REMAND**

I, Otavio Haverroth Silva, hereby declare as follows:

1. I am a licensed attorney in the State of California, Bar No. 343486. I serve as the managing attorney at HS Law Corp, which operates under the name YOUSA Law Firm. Our office is located at 5051 La Jolla Blvd., Suite 202, San Diego, CA 92109. I began practicing immigration law in 2022.

2. My legal practice concentrates on removal defense before the Executive Office for Immigration Review. I represent both detained and non-detained clients in immigration court proceedings. Additionally, I handle affirmative matters before U.S. Citizenship and Immigration Services, including humanitarian relief applications and family-based immigration petitions.

3. I make this declaration based on my personal knowledge of the facts stated herein. Where I state matters based on information and belief, I am informed of those facts and believe them to be true.

4. I serve as co-counsel for Luis Ernesto Lliguishusca Loja (A# 240-159-856), the Respondent in this matter. This affidavit supports his Motion to Remand.

5. In early November 2025, my office was approached for legal representation following Mr. Lliguishusca Loja's detention by Immigration and Customs Enforcement. He had been detained on August 6, 2025, and, after several transfers, was then being held at Mesa Verde ICE Processing Center in Bakersfield, California.

6. After my initial consultation with Mr. Lliguishusca Loja, my office joined forces with co-counsel Natalia Vieira Santanna, Esq., of Santanna Law Offices, PC. Together, we entered into a retainer agreement on November 7, 2025. Under the terms of this agreement, our representation was strictly limited to pursuing a Federal Habeas Corpus petition in the United States District Court.

7. On November 20, 2025, I conducted a detailed telephonic consultation directly with Mr. Lliguishusca Loja while he was detained at Mesa Verde. During our conversation, I learned about his personal history, the circumstances of his arrival in the United States, the dangers he faced in Ecuador, and his well-founded fear of returning to his home country. Mr. Lliguishusca Loja disclosed that he had been threatened by criminal gangs in Ecuador, that his life was in danger, and that he feared persecution if forced to return. Based on what Mr. Lliguishusca Loja shared with me during this consultation, I concluded that he had a viable claim for asylum, withholding of removal and protection under the Convention Against Torture.

8. The retainer agreement made clear that our paid services did not extend to Immigration Court proceedings. We were not retained to represent Mr. Lliguishusca Loja in his removal proceedings, nor were we contracted to prepare or file any applications for relief from removal, including the Form I-589 (Application for Asylum and for Withholding of Removal).

9. However, after my consultation with Mr. Lliguishusca Loja on November 20, 2025, during which he disclosed the persecution he had suffered in Ecuador and his fear of return, I discussed his case with co-counsel Natalia Vieira Santanna. We both recognized that Mr. Lliguishusca Loja had a potentially meritorious asylum claim and that, as a detained individual facing imminent removal, he urgently needed legal assistance to pursue this relief. After reviewing his case together and recognizing the gravity of his situation, we made the joint professional decision to provide pro bono assistance with the preparation and filing of his asylum application. This pro bono assistance was provided entirely outside the scope of the paid retainer agreement and was motivated by humanitarian concerns and our professional obligation to ensure that Mr. Lliguishusca Loja had access to legal representation in pursuing his asylum claim. No fees were charged for this asylum-related assistance.

10. Throughout December and into early January 2026, my team and I worked closely with Mr. Lliguishusca Loja to prepare his asylum application. We conducted several phone calls with him at the detention facility to gather the necessary information about his background, the gang violence he experienced, and the threats against his life. Communication between counsel and detained Respondent is limited to paid phone calls, which are subject to an hourly limit and are of poor quality. Attempts to schedule video

conferences through Mesa Verde procedures face significant barriers, including long wait times and very few available time slots. To proceed in this manner, counsel would have to wait for weeks just to speak with the Respondent, and even then, for a limited period.

11. By December 4, 2025, we had completed a draft of the Form I-589, but still required sensitive information from the client. Since Mr. Lliguishusca Loja was detained and unable to visit our office, the only option was to send the documents to him at Mesa Verde for his review and signature.

12. My staff prepared a comprehensive package that included the Form I-589, a cover letter with signing instructions, and a pre-paid FedEx return envelope so Mr. Lliguishusca Loja could easily send the signed documents back to us. The purpose was to gather all missing information necessary to complete the asylum application and the signatures on the Form. We sent this package via FedEx Overnight on December 4, 2025, and obtained tracking confirmation.

13. Our expectation was straightforward: the package would arrive within a day or two, Mr. Lliguishusca Loja would sign the forms, and we would receive them back within a week. This timeline would have allowed us to file the asylum application with the Immigration Court well before any scheduled hearing.

14. According to FedEx tracking number 792067135008, our package was delivered to Mesa Verde Detention Facility on December 5, 2025. The return label we included had tracking number 886745758213. Copies of these FedEx receipts and tracking records are attached as Exhibits D and E.

15. Days passed, then weeks, and we did not receive the signed documents back from Mr. Lliguishusca Loja. This was highly unusual and concerning, especially given the time-sensitive nature of his immigration case.

16. On December 11, 2025, my staff attempted to resolve this issue by calling Mesa Verde directly. Between 2:44 PM and 3:31 PM that afternoon, my staff placed five separate calls to the facility at (661) 859-1028. During each call, they provided both the FedEx tracking number and Mr. Lliguishusca Loja's A-number. The response was always the same: the person responsible for legal was out of the office, and my staff should wait. Each time they were placed on hold, the line would disconnect. After nearly an hour of this, we had made no progress.

17. Frustrated by the lack of response by phone, I personally took over the effort to locate the documents through email correspondence.

18. On December 15, 2025, I sent a detailed email to mvipcattorney@geogroup.com and SanFrancisco.Outreach@ice.dhs.gov. I attached our Form G-28 to confirm our representation and explained the situation. I specifically requested three things: (1) confirmation that the FedEx package with tracking number 792067135008 had been received and located; (2) confirmation that it had been delivered to Mr. Lliguishusca Loja; and (3) if not, that it be delivered to him immediately so he could sign and return the asylum application using our prepaid label. A copy of this email is attached as Exhibit F.

19. The response I received from MVIPCAttorney@geogroup.com that same evening was unhelpful. The email simply stated: "This email is only used for attorney purpose please contact the facility mail clerk at (661) 859-1028 ext.115." This directed me back to the same phone number where my staff had already spent an hour trying unsuccessfully to get answers. This response is also included in Exhibit F.

20. The San Francisco ICE office sent an automatic reply with general procedural information but no substantive response to my inquiry. The automated message did indicate that questions about Mesa Verde detainees should be directed to bkidetained@ice.dhs.gov. This automatic reply is included in Exhibit F.

21. Following this guidance, I sent another email on December 16, 2025, this time to bkidetained@ice.dhs.gov. I again attached the G-28 and repeated my request for confirmation and assistance in getting the documents to Mr. Lliguishusca Loja. A copy of this email is also attached as Exhibit F.

22. Despite all of these efforts, five phone calls and multiple emails to different offices, we received no meaningful response. No one could tell us where the documents were or when Mr. Lliguishusca Loja would be allowed to access them. No further response was received on any of the e-mails sent in this matter.

23. Finally, on December 29, 2025, almost a month after FedEx confirmed delivery to Mesa Verde, we received the signed Form I-589 back from Mr. Lliguishusca Loja. It arrived via the prepaid return label (tracking number 886745758213) that we had included in the original package. A copy of the documents we received is attached as Exhibit G.

24. As soon as we received the signed application, co-counsel Natalia Vieira Santanna took immediate action. On January 8, 2026, she filed the complete I-589 package to the Adelanto Immigration Court via FedEx, along with a Form EOIR-61 with the Immigration Court to indicate our limited-scope representation for the asylum application only. Concurrently, receipt for the Form I-589 fee was sent to the Immigration Court, indicating proof of payment of the fee associated with the application. Copies of the signed I-589, Form EOIR-61 and Fee Receipt, as sent to the Immigration Court, are attached as Exhibits H and I.

25. Unfortunately, FedEx tracking shows that the asylum application was still in transit on January 12, 2026, the very day of Mr. Lliguishusca Loja's hearing. The package arrived at the court later that same day, but only after the hearing had already concluded. FedEx receipts and tracking records documenting this are attached as Exhibits J and K.

26. Mr. Lliguishusca Loja appeared before the Immigration Judge on January 12, 2026, at the Adelanto Immigration Court. Because we had filed only an EOIR-61 for limited-scope assistance with the asylum application, and not a full entry of appearance in the removal proceedings, Mr. Lliguishusca Loja was effectively appearing pro se.

27. After the hearing, Mr. Lliguishusca Loja contacted my staff and described what had occurred. According to him, the Immigration Judge stated that this was his "third hearing," that he had been given "two chances," that he had no attorney representing him in the removal proceedings, and that there was no application for relief on his records.

28. Based on these findings, the Immigration Judge issued a final order of removal. The Judge apparently concluded that Mr. Lliguishusca Loja had failed to pursue relief or had waived his applications.

29. What troubles me deeply is that Mr. Lliguishusca Loja was never given a chance to explain what had happened. He could not tell the Judge that his asylum application had been blocked at Mesa Verde for over a month, as he did not comprehend the extent of these circumstances. And he did not know that at that very moment, his signed I-589 was on a FedEx truck heading to that same courthouse. He did inform the Judge that he had retained counsel and that this counsel filed an asylum application on his behalf, but the Judge observed no file on record and did not inquire further upon receiving this information from Respondent.

30. The Immigration Judge made no inquiry into whether there were extraordinary circumstances preventing timely filing. The Judge did not ask Mr. Lliguishusca Loja about his efforts to pursue asylum. The Judge did not fulfill the heightened duty of care owed to a pro se detained respondent who clearly needed guidance and protection.

31. Mr. Lliguishusca Loja did not waive or abandon his asylum application. He worked with us diligently, answered our questions, provided information, and signed his application as soon as Mesa Verde finally allowed him access to it. The delay was not his fault. It was caused entirely by government obstruction that prevented a detained individual from accessing his own legal documents.

32. The Immigration Judge should have noted, and should weigh now on the adjudication of this motion, that detention imposes substantial barriers to meaningful participation in legal proceedings.

33. The removal order entered on January 12, 2026, is fundamentally unjust. It resulted from government interference, procedural failures, and clear errors of both fact and law. Mr. Lliguishusca Loja deserves the opportunity to have his asylum claim heard on its merits.

34. I have compiled all relevant evidence to support this Motion, including FedEx tracking documentation, copies of all email correspondence with Mesa Verde and ICE, and the signed asylum application itself.

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

Otavio Haverroth Silva

Date: 05/20/2026

# Exhibit D

# Application for Asylum and for Withholding of Removal

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS**
**Form I-589**
OMB No. 1615-0067
Expires 09/30/2027

**START HERE - Type or print in black ink. See the instructions for information about eligibility and how to complete and file this application.**

**NOTE:** ☒ Check this box if you also want to apply for withholding of removal under the Convention Against Torture.

## Part A.I. Information About You

| 1. Alien Registration Number(s) (A-Number) *(if any)* | 2. U.S. Social Security Number *(if any)* | 3. USCIS Online Account Number *(if any)* |
|---|---|---|
| 240159856 | N/A | N/A |

| 4. Complete Last Name | 5. First Name | 6. Middle Name |
|---|---|---|
| Lliguishusca Loja | Luis Ernesto | N/A |

**7.** What other names have you used *(include maiden name and aliases)?*
N/A

**8.** Residence in the U.S. *(where you physically reside)*

| Street Number and Name | Apt. Number |
|---|---|
| 425 Golden State Ave (Mesa Verde Detention Center) | N/A |

| City | State | Zip Code | Telephone Number |
|---|---|---|---|
| Bakersfield | California | 93301 | ( 661 ) 8591028 |

(**NOTE:** *You must be residing in the United States to submit this form.*)

**9.** Mailing Address in the U.S. *(if different than the address in Item Number 8)*

| In Care Of *(if applicable)*: | Telephone Number |
|---|---|
| Maria Balvina Lliguishusca Loja | ( 518 ) 77911984 |

| Street Number and Name | Apt. Number |
|---|---|
| 78 Benson Street | N/A |

| City | State | Zip Code |
|---|---|---|
| Albany | New York | 12206 |

**10.** Sex ☒ Male ☐ Female

**11.** Marital Status: ☒ Single ☐ Married ☐ Divorced ☐ Widowed

| 12. Date of Birth *(mm/dd/yyyy)* | 13. City and Country of Birth |
|---|---|
| 05/24/2006 | Canar, Ecuador |

| 14. Present Nationality *(Citizenship)* | 15. Nationality at Birth | 16. Race, Ethnic, or Tribal Group | 17. Religion |
|---|---|---|---|
| Ecuadorian | Ecuadorian | Latino | Catholic |

**18.** *Check the box, a through c, that applies:* **a.** ☐ I have never been in Immigration Court proceedings.
**b.** ☒ I am now in Immigration Court proceedings. **c.** ☐ I am **not** now in Immigration Court proceedings, but I have been in the past.

**19.** *Complete 19 a through c.*
**a.** When did you last leave your country? *(mm/dd/yyyy)* 04/26/2023 **b.** What is your current I-94 Number, if any? N/A

**c.** List each entry into the U.S. beginning with your most recent entry. *List date (mm/dd/yyyy), place, and your status for each entry. (Attach additional sheets as needed.)*

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| Date | 05/22/2023 | Place | Texas | Status | EWI | Date Status Expires | N/A |
| Date | N/A | Place | N/A | Status | N/A | | |
| Date | N/A | Place | N/A | Status | N/A | | |

| 20. What country issued your last passport or travel document? | 21. Passport Number B0721093 | 22. Expiration Date *(mm/dd/yyyy)* |
|---|---|---|
| Ecuador | Travel Document Number B0721093 | 04/23/2035 |

| 23. What is your native language *(include dialect, if applicable)?* | 24. Are you fluent in English? | 25. What other languages do you speak fluently? |
|---|---|---|
| Spanish | ☐ Yes ☒ No | N/A |

## Part A.II. Information About Your Spouse and Children

| For EOIR use only. | For USCIS use only. | Action: Interview Date: _____ Asylum Officer ID No.: _____ | Decision: Approval Date: _____ Denial Date: _____ Referral Date: _____ |
|---|---|---|---|

**Your spouse** ☒ I am not married. (Skip to **Your Children** below.)

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Date of Birth *(mm/dd/yyyy)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Other names used *(include maiden name and aliases)* |
| N/A | N/A | N/A | N/A |
| **9.** Date of Marriage *(mm/dd/yyyy)* | **10.** Place of Marriage | **11.** City and Country of Birth | |
| N/A | N/A | N/A | |
| **12.** Nationality *(Citizenship)* | **13.** Race, Ethnic, or Tribal Group | **14.** Sex ☐ Male ☐ Female | |
| N/A | N/A | | |

**15.** Is this person in the U.S.?
☐ Yes *(Complete Blocks 16 to 24.)* ☐ No *(Specify location):* N/A

| 16. Place of last entry into the U.S. | 17. Date of last entry into the U.S. *(mm/dd/yyyy)* | 18. I-94 Number *(if any)* | 19. Status when last admitted *(Visa type, if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **20.** What is your spouse's current status? | **21.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | **22.** Is your spouse in Immigration Court proceedings? ☐ Yes ☐ No | **23.** If previously in the U.S., date of previous arrival *(mm/dd/yyyy)* |
| N/A | N/A | | N/A |

**24.** If in the U.S., is your spouse to be included in this application? *(Check the appropriate box.)*
☐ Yes
☐ No

**Your Children.** List **all** of your children, regardless of age, location, or marital status.

☒ I do not have any children. *(Skip to Part A.III., Information about your background.)*

☐ I have children. Total number of children: _____.

(**NOTE:** *Use Form I-589 Supplement A or attach additional sheets of paper and documentation if you have more than four children.)*

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex ☐ Male ☐ Female |
| N/A | N/A | N/A | |

**13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location):* N/A

| 14. Place of last entry into the U.S. | 15. Date of last entry into the U.S. *(mm/dd/yyyy)* | 16. I-94 Number *(If any)* | 17. Status when last admitted *(Visa type, if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **18.** What is your child's current status? | **19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | **20.** Is your child in Immigration Court proceedings? ☐ Yes ☐ No | |
| N/A | N/A | | |

**21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*
☐ Yes
☐ No

## Part A.II. Information About Your Spouse and Children (continued)

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☐ Male ☐ Female |

**13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A

| 14. Place of last entry into the U.S. | 15. Date of last entry into the U.S. *(mm/dd/yyyy)* | 16. I-94 Number *(If any)* | 17. Status when last admitted *(Visa type, if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |

| 18. What is your child's current status? | 19. What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | 20. Is your child in Immigration Court proceedings? |
|---|---|---|
| N/A | N/A | ☐ Yes ☐ No |

**21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☐ No

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☐ Male ☐ Female |

**13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A

| 14. Place of last entry into the U.S. | 15. Date of last entry into the U.S. *(mm/dd/yyyy)* | 16. I-94 Number *(If any)* | 17. Status when last admitted *(Visa type, if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |

| 18. What is your child's current status? | 19. What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | 20. Is your child in Immigration Court proceedings? |
|---|---|---|
| N/A | N/A | ☐ Yes ☐ No |

**21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☐ No

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☐ Male ☐ Female |

**13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A

| 14. Place of last entry into the U.S. | 15. Date of last entry into the U.S. *(mm/dd/yyyy)* | 16. I-94 Number *(If any)* | 17. Status when last admitted *(Visa type, if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |

| 18. What is your child's current status? | 19. What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | 20. Is your child in Immigration Court proceedings? |
|---|---|---|
| N/A | N/A | ☐ Yes ☐ No |

**21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)*

☐ Yes

☐ No

## Part A.III. Information About Your Background

**1.** List your last address where you lived before coming to the United States. If this is not the country where you fear persecution, also list the last address in the country where you fear persecution. *(List Address, City/Town, Department, Province, or State and Country.)*
*(**NOTE:** Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

| Number and Street *(Provide if available)* | City/Town | Department, Province, or State | Country | Dates From *(Mo/Yr)* | To *(Mo/Yr)* |
|---|---|---|---|---|---|
| Parroquia de Chontamar | Canar | Canar | Ecuador | 05/2006 | 04/2023 |
| N/A | N/A | N/A | N/A | N/A | N/A |

**2.** Provide the following information about your residences during the past 5 years. List your present address first.
*(**NOTE:** Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

| Number and Street | City/Town | Department, Province, or State | Country | Dates From *(Mo/Yr)* | To *(Mo/Yr)* |
|---|---|---|---|---|---|
| 30 Alden Avenue | Albany | New York | United States | 07/2025 | 08/2025 |
| 78 Benson Street | Albany | New York | United States | 05/2023 | 07/2025 |
| Parroquia de Chontamar | Canar | Canar | Ecuador | 05/2006 | 04/2023 |
| N/A | N/A | N/A | N/A | N/A | N/A |
| N/A | N/A | N/A | N/A | N/A | N/A |

**3.** Provide the following information about your education, beginning with the most recent school that you attended.
*(**NOTE:** Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

| Name of School | Type of School | Location *(Address)* | Attended From *(Mo/Yr)* | To *(Mo/Yr)* |
|---|---|---|---|---|
| Escuela 24 de Julio | Elementary School | Canar, Ecuador | 05/2012 | 02/2019 |
| N/A | N/A | N/A | N/A | N/A |
| N/A | N/A | N/A | N/A | N/A |
| N/A | N/A | N/A | N/A | N/A |

**4.** Provide the following information about your employment during the past 5 years. List your present employment first.
*(**NOTE:** Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

| Name and Address of Employer | Your Occupation | Dates From *(Mo/Yr)* | To *(Mo/Yr)* |
|---|---|---|---|
| Pinnacle Roofing - Albany, NY, USA | Construction Worker | 06/2023 | 08/2025 |
| Self-employed - Canar, Ecuador | Construction Worker | 01/2021 | 04/2023 |
| N/A | N/A | N/A | N/A |

**5.** Provide the following information about your parents and siblings (brothers and sisters). Check the box if the person is deceased.
(**NOTE**: *Use Form I-589 Supplement B, or additional sheets of paper, if necessary.)*

| Full Name | City/Town and Country of Birth | Current Location |
|---|---|---|
| *Mother* Maria Manuela Loja Guaman | Canar, Ecuador | ☐ Deceased Canar, Ecuador |
| *Father* Jose Manuel Lliguishusca Loja | Canar, Ecuador | ☐ Deceased Unknown |
| *Sibling* Manuel Maria Lliguishusca Loja | Canar, Ecuador | ☐ Deceased Canar, Ecuador |
| *Sibling* Luis Carlos Lliguishusca Loja | Canar, Ecuador | ☐ Deceased United States |
| *Sibling* Maria Balvina Lliguishusca Loja | Canar, Ecuador | ☐ Deceased Albany, United States |
| *Sibling* Ana Cristina Lliguishusca Loja | Canar, Ecuador | ☐ Deceased Canar, Ecuador |

## Part B. Information About Your Application

*(**NOTE:** Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part B.)*

When answering the following questions about your asylum or other protection claim (withholding of removal under 241(b)(3) of the INA or withholding of removal under the Convention Against Torture), you must provide a detailed and specific account of the basis of your claim to asylum or other protection. To the best of your ability, provide specific dates, places, and descriptions about each event or action described. You must attach documents evidencing the general conditions in the country from which you are seeking asylum or other protection and the specific facts on which you are relying to support your claim. If this documentation is unavailable or you are not providing this documentation with your application, explain why in your responses to the following questions.

Refer to Instructions, Part 1: Filing Instructions, Section II, "Basis of Eligibility," Parts A - D, Section V, Completing the Form," Part B, and Section VII, "Additional Evidence That You Should Submit," for more information on completing this section of the form.

**1.** Why are you applying for asylum or withholding of removal under section 241(b)(3) of the INA, or for withholding of removal under the Convention Against Torture? Check the appropriate box(es) below and then provide detailed answers to questions A and B below.

I am seeking asylum or withholding of removal based on:

- ☐ Race
- ☒ Political opinion
- ☐ Religion
- ☒ Membership in a particular social group
- ☐ Nationality
- ☒ Torture Convention

**A.** Have you, your family, or close friends or colleagues ever experienced harm or mistreatment or threats in the past by anyone?

☐ No ☒ Yes

If "Yes," explain in detail:

**1.** What happened;
**2.** When the harm or mistreatment or threats occurred;
**3.** Who caused the harm or mistreatment or threats; and
**4.** Why you believe the harm or mistreatment or threats occurred.

Beginning in 2019, when I was 13 years old, I was repeatedly harmed and threatened by members of a criminal gang called "Los Lobos" in my country. The first time was in 2019, when about three gang members, led by a man known as Luis Fajardo, approached me in the street and tried to force me to join their gang. When I refused, they beat me so badly that they broke my hand. After that, the gang continued to harass me for years, constantly pressuring me to join them. In December 2021, the situation became more serious: I started receiving messages saying they were going to kill me, my mother, and my family, and they sent pictures of guns. Because of these threats, we were so afraid that my family almost stopped leaving the house, I stopped going to school, and I was unable to finish high school. In December 2022, when I was coming home from work at night, several gang members cornered me again and beat me badly, injuring my knee, scarring my face, and filling my mouth with blood. They abandoned me unconscious in the street for several hours, unable to move due to the severe physical state they had left me in. I believe all this harm and these threats happened because I repeatedly refused to join "Los Lobos" and refused to participate in their criminal activities, and they wanted to punish me for saying no and force me to submit to their control.

**B.** Do you fear harm or mistreatment if you return to your home country?

☐ No ☒ Yes

If "Yes," explain in detail:

**1.** What harm or mistreatment you fear;
**2.** Who you believe would harm or mistreat you; and
**3.** Why you believe you would or could be harmed or mistreated.

I am afraid that if I return to my home country, I will be threatened, beaten, tortured or even killed by the gang "Los Lobos". I am also afraid they will harm or kill my family members for their association with me. In the past, they beat me badly, broke my hand, and later attacked me again, injuring my knee and face. They also sent me messages saying they would kill me, my mother, and my family, and showed me pictures of guns. Because I refused many times to join their gang and refused to participate in their criminal activities, I believe they see me as someone who disobeyed them, labeling me as an "enemy" of the faction, and they will want revenge. I am also afraid to seek protection from the police, because in my country the police are very corrupt, and I fear they would give my information to the gang or not protect me at all. For these reasons, I believe there is a real and serious risk that the same gang will find me and harm or kill me and my family if I am forced to return.

## Part B. Information About Your Application (continued)

**2.** Have you or your family members ever been accused, charged, arrested, detained, interrogated, convicted and sentenced, or imprisoned in any country other than the United States (including for an immigration law violation)?

☒ No ☐ Yes

If "Yes," explain the circumstances and reasons for the action.

**3.A.** Have you or your family members ever belonged to or been associated with any organizations or groups in your home country, such as, but not limited to, a political party, student group, labor union, religious organization, military or paramilitary group, civil patrol, guerrilla organization, ethnic group, human rights group, or the press or media?

☒ No ☐ Yes

If "Yes," describe for each person the level of participation, any leadership or other positions held, and the length of time you or your family members were involved in each organization or activity.

**3.B.** Do you or your family members continue to participate in any way in these organizations or groups?

☒ No ☐ Yes

If "Yes," describe for each person your or your family members' current level of participation, any leadership or other positions currently held, and the length of time you or your family members have been involved in each organization or group.

**4.** Are you afraid of being subjected to torture in your home country or any other country to which you may be returned?

☐ No ☒ Yes

If "Yes," explain why you are afraid and describe the nature of torture you fear, by whom, and why it would be inflicted.

I am afraid that if I am returned to my home country, I could be subjected to torture by the members of the gang "Los Lobos," who have already beaten me badly twice, broken my hand, left me injured on the road all night, and threatened to kill me and my family. Because I refused to join their gang and to participate in their criminal activities, I believe they want to punish me and take revenge, and that they would not hesitate to torture me or kill me if they find me again. Furthermore, I cannot count on protection from the police, because in my country the police are very corrupt and I fear they could cooperate with the gang. "Los Lobos" is one of the largest and most dangerous criminal organizations in Ecuador, known for its brutal methods of torture against those who do not cooperate, and has been designated a Foreign Terrorist Organization by the U.S. Department of State. Thus, I believe there is a real risk that I could be subjected to torture or extremely cruel and inhuman treatment if I am returned.

## Part C. Additional Information About Your Application

(**NOTE:** *Use Form I-589 Supplement B, or attach additional sheets of paper as needed to complete your responses to the questions contained in Part C.*)

**1.** Have you, your spouse, your child(ren), your parents or your siblings ever applied to the U.S. Government for refugee status, asylum, or withholding of removal?

☐ No ☒ Yes

If "Yes," explain the decision and what happened to any status you, your spouse, your child(ren), your parents, or your siblings received as a result of that decision. Indicate whether or not you were included in a parent or spouse's application. If so, include your parent or spouse's A-number in your response. If you have been denied asylum by an immigration judge or the Board of Immigration Appeals, describe any change(s) in conditions in your country or your own personal circumstances since the date of the denial that may affect your eligibility for asylum.

My sister, Maria Balvina Lliguishusca Loja, has a pending application for asylum and for withholding of removal before the Buffalo Immigration Court.

**2.A.** After leaving the country from which you are claiming asylum, did you or your spouse or child(ren) who are now in the United States travel through or reside in any other country before entering the United States?

☐ No ☒ Yes

**2.B.** Have you, your spouse, your child(ren), or other family members, such as your parents or siblings, ever applied for or received any lawful status in any country other than the one from which you are now claiming asylum?

☒ No ☐ Yes

If "Yes" to either or both questions (2A and/or 2B), provide for each person the following: the name of each country and the length of stay, the person's status while there, the reasons for leaving, whether or not the person is entitled to return for lawful residence purposes, and whether the person applied for refugee status or for asylum while there, and if not, why he or she did not do so.

I traveled through Colombia, Guatemala and Mexico, before entering the United States on May, and remained in each country for solely a few days. I did not hold any legal status in any of these countries and am not entitled to return for lawful residence purposes. I did not seek protection in these countries because they were not safe for me. The "Los Lobos" gang has connections through all of Latin America and this made me feel constantly exposed and at risk. I feared they could find me there as well and, as only a child, had no trust in the authorities to protect me.

**3.** Have you, your spouse or your child(ren) ever ordered, incited, assisted or otherwise participated in causing harm or suffering to any person because of his or her race, religion, nationality, membership in a particular social group or belief in a particular political opinion?

☒ No ☐ Yes

If "Yes," describe in detail each such incident and your own, your spouse's, or your child(ren)'s involvement.

## Part C. Additional Information About Your Application (continued)

**4.** After you left the country where you were harmed or fear harm, did you return to that country?

☒ No ☐ Yes

If "Yes," describe in detail the circumstances of your visit(s) (for example, the date(s) of the trip(s), the purpose(s) of the trip(s), and the length of time you remained in that country for the visit(s).)

**5.** Are you filing this application more than 1 year after your last arrival in the United States?

☐ No ☒ Yes

If "Yes," explain why you did not file within the first year after you arrived. You must be prepared to explain at your interview or hearing why you did not file your asylum application within the first year after you arrived. For guidance in answering this question, see Instructions, Part 1: Filing Instructions, Section V. "Completing the Form," Part C.

I entered the United States without inspection when I was only 16 years old, and I was not apprehended at the border. Because I was a minor and did not have any contact with immigration authorities, no one ever explained to me my rights as a child, the possibility of seeking asylum, or that there was a one-year deadline to apply. I did not understand the U.S. immigration system, I did not speak English, and I had no access to a lawyer or trusted adult who could advise me about my options. As soon as I understood my situation and my rights, I sought legal help to present this application. For these reasons, I respectfully ask that my delay in filing be excused.

**6.** Have you or any member of your family included in the application ever committed any crime and/or been arrested, charged, convicted, or sentenced for any crimes in the United States (including for an immigration law violation)?

☐ No ☒ Yes

If "Yes," for each instance, specify in your response: what occurred and the circumstances, dates, length of sentence received, location, the duration of the detention or imprisonment, reason(s) for the detention or conviction, any formal charges that were lodged against you or your relatives included in your application, and the reason(s) for release. Attach documents referring to these incidents, if they are available, or an explanation of why documents are not available.

On August 6, 2025, I was arrested and taken into immigration detention in Abany, NY. I was issued a Notice to Appear and charged with violations of sections 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (INA). I was subsequently placed in removal proceedings and have remained in ICE custody since that date. Currently, I am detained in the Mesa Verde ICE Processing Center, in Bakersfield, California. The arrest occurred because of my unlawful immigration status, and I did not commit any crimes in the United States.

## Part D. Your Signature

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I certify that I am physically present in the United States or seeking admission at a Port of Entry when I execute this application. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

***WARNING:*** **Applicants who are in the United States unlawfully are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.**

| Print your complete name. | Write your name in your native alphabet. |
|---|---|
| Luis Ernesto Lliguishusca Loja | N/A |

Did your spouse, parent, or child(ren) assist you in completing this application? ☒ No ☐ Yes *(If "Yes," list the name and relationship.)*

| N/A | N/A | N/A | N/A |
|---|---|---|---|
| *(Name)* | *(Relationship)* | *(Name)* | *(Relationship)* |

Did someone other than your spouse, parent, or child(ren) prepare this application? ☐ No ☒ Yes *(If "Yes," complete Part E.)*

Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim? ☒ No ☐ Yes

Signature of Applicant *(The person in Part. A.I.)*

➡ [ _____ ] 12/04/2025

Sign your name so it all appears within the brackets — Date (mm/dd/yyyy)

## Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

| Signature of Preparer | Print Complete Name of Preparer |
|---|---|
| | Natalia Vieira Santanna |

| Daytime Telephone Number | Address of Preparer: Street Number and Name |
|---|---|
| ( 510 ) 9220154 | PO Box 7528 |

| Apt. Number | City | State | Zip Code |
|---|---|---|---|
| | Oakland | CA | 94601 |

| **To be completed by an attorney or accredited representative** (if any). | ☐ **Select this box if Form G-28 is attached.** | **Attorney State Bar Number** (if applicable) | **Attorney or Accredited Representative USCIS Online Account Number** (if any) |
|---|---|---|---|
| | | 337502 | 0 6 3 4 6 0 3 2 7 9 7 4 |

## Part F. To Be Completed at Asylum Interview, if Applicable

**NOTE:** *You will be asked to complete this part when you appear for examination before an asylum officer of the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).*

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered ____ to ____ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

| | |
|---|---|
| Signature of Applicant | Date *(mm/dd/yyyy)* |
| Write Your Name in Your Native Alphabet | Signature of Asylum Officer |

## Part G. To Be Completed at Removal Hearing, if Applicable

**NOTE:** *You will be asked to complete this Part when you appear before an immigration judge of the U.S. Department of Justice, Executive Office for Immigration Review (EOIR), for a hearing.*

I swear (affirm) that I know the contents of this application that I am signing, including the attached documents and supplements, that they are ☐ all true or ☐ not all true to the best of my knowledge and that correction(s) numbered _____ to _____ were made by me or at my request. Furthermore, I am aware that if I am determined to have knowingly made a frivolous application for asylum I will be permanently ineligible for any benefits under the Immigration and Nationality Act, and that I may not avoid a frivolous finding simply because someone advised me to provide false information in my asylum application.

Signed and sworn to before me by the above named applicant on:

| | |
|---|---|
| Signature of Applicant | Date *(mm/dd/yyyy)* |
| Write Your Name in Your Native Alphabet | Signature of Immigration Judge |

# Application for Asylum and for Withholding of Removal Supplement A

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS**
**Form I-589**
OMB No. 1615-0069
Expires 09/30/2027

| A-Number *(If available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| **Applicant's Name** | **Applicant's Signature** |
| Luis Ernesto Lliguishusca Loja | |

## List All of Your Children, Regardless of Age or Marital Status

*(**NOTE:** Use this form and attach additional pages and documentation as needed, if you have more than four children)*

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☒ Male ☐ Female |
| **13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A | | | |
| **14.** Place of last entry into the U.S. | **15.** Date of last entry into the U.S. *(mm/dd/yyyy)* | **16.** I-94 Number *(If any)* | **17.** Status when last admitted *(Visa type, if any)* |
| N/A | N/A | N/A | N/A |
| **18.** What is your child's current status? | **19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | **20.** Is your child in Immigration Court proceedings? | |
| N/A | N/A | ☐ Yes ☐ No | |
| **21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes ☐ No | | | |

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☐ Male ☐ Female |
| **13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A | | | |
| **14.** Place of last entry into the U.S. | **15.** Date of last entry into the U.S. *(mm/dd/yyyy)* | **16.** I-94 Number *(If any)* | **17.** Status when last admitted *(Visa type, if any)* |
| N/A | N/A | N/A | N/A |
| **18.** What is your child's current status? | **19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | **20.** Is your child in Immigration Court proceedings? | |
| N/A | N/A | ☐ Yes ☐ No | |
| **21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes ☐ No | | | |

# Application for Asylum and for Withholding of Removal Supplement B

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS**
**Form I-589**
OMB No. 1615-0069
Expires 09/30/2027

## Additional Information About Your Claim to Asylum

| A-Number *(if available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| Applicant's Name<br>Luis Ernesto Lliguishusca Loja | Applicant's Signature |

**NOTE:** *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

**Part** A.III.

**Question** 5

Sibling: Jose Favian Lliguishusca Loja
City and Country of Birth: Canar, Ecuador
Current location: Canar, Ecuador

Sibling: Luis Patricio Lliguishusca Loja
City and Country of Birth: Canar, Ecuador
Current location: Canar, Ecuador

# Exhibit E

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**

## Payment Receipt

A payment has been processed for the following case before the Executive Office for Immigration Review.

For cases before the Immigration Court, please contact the Court that is currently hearing your case for questions regarding payment. For cases before the Board of Immigration Appeals (BIA), please contact the BIA Clerk's Office for questions regarding payment at (703) 605-1007.

A copy of this receipt must be included with the application, motion, or appeal that is filed with the Immigration Court or the BIA Clerk's Office. Failure to include a receipt showing proof of payment will result in rejection of the filing.

**A-Number:** 240-159-856

**Payment Tracking ID:** 27UGI9E6

**Payment Processed On:** 1/6/2026 11:39:42 AM EST

**Filing Type:** Court - I-589, Application for Asylum (Initial Fee)

**Payment Type:** PLASTIC_CARD

**Payment Amount:** $100.00

Save or print this receipt immediately. A copy will not be sent via email. The tracking ID is required to retrieve a duplicate receipt.

*Please note there is an **annual fee** for all asylum applications, which is due on the anniversary of each calendar year that an alien's asylum application remains pending; no fee-waiver or reduction in fee is permitted. **This fee must be paid timely**; failure to pay within 30 days of the anniversary due date will likely result in pretermission of the asylum application and an order of removal. This will be the only notice that the alien will receive regarding this annual payment requirement. Payment of this fee can be made at https://epay.eoir.justice.gov/index.

Current annual fee amounts can be found at www.justice.gov/eoir/types-appeals-motions-and-required-fees.

# Exhibit F

ORIGIN ID:DAGA (760) 561-6100
FORM I-589 TO IMMIGRATION COURT

10250 RANCHO ROAD
SUITE 201A
ADELANTO, CA 92301
UNITED STATES US

SHIP DATE: 08JAN26
ACTWGT: 0.25 LB
CAD: 263044747/INET4535

TO **OTAVIO H SILVA**
**YOUSA LAW FIRM**
**5051 LA JOLLA BLVD**
**202**
**SAN DIEGO CA 92109**
(619) 446-8626
INV:
PO:
REF:
DEPT:

58H13/3A83/59F2

**RMA:**

FedEx Express

J254025092401uv

**RETURNS MON-SAT**
**** 2DAY ****

TRK# **7921 2388 1293**
0221

**92109**

**CA-US**

After printing this label:
**CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH**
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

**Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of $100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of $100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is $1,000, e.g. Jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.**

ORIGIN ID:SDMA (619) 446-8626
OTAVIO H SILVA
YOUSA LAW FIRM
5051 LA JOLLA BLVD
202
SAN DIEGO, CA 92109
UNITED STATES US

SHIP DATE: 08JAN26
ACTWGT: 0.20 LB
CAD: 263044747/INET4535

BILL SENDER

TO **FORM I-589 TO IMMIGRATION COURT**

**10250 RANCHO ROAD**
**SUITE 201A**
**ADELANTO CA 92301**

(760) 561-6100
INV:
PO:
REF:
DEPT:

58H13/3A83/59F2

FedEx Express

J254025092401uv

**MON - 12 JAN 5:00P**
**** 2DAY ****

TRK# 0201 **8877 5400 2646**

**92301**
**CA-US ONT**

**SP DAGA**

After printing this label:
**CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH**
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

**Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of $100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of $100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is $1,000, e.g. Jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.**

ORIGIN ID:SDMA (619) 446-8626
OTAVIO H SILVA
YOUSA LAW FIRM
5051 LA JOLLA BLVD
202
SAN DIEGO, CA 92109
UNITED STATES US

SHIP DATE: 08JAN26
ACTWGT: 1.00 LB
CAD: 263044747/INET4535

BILL SENDER

TO **DHS**

**10250 RANCHO ROAD**

**ADELANTO CA 92301**

(760) 561-6100
INV:
PO:

REF:

DEPT:

58H13/3A83/59F2

FedEx Express

J254025092401uv

**MON - 12 JAN 5:00P**
**** 2DAY ****

TRK# **8877 5425 4215**
0201

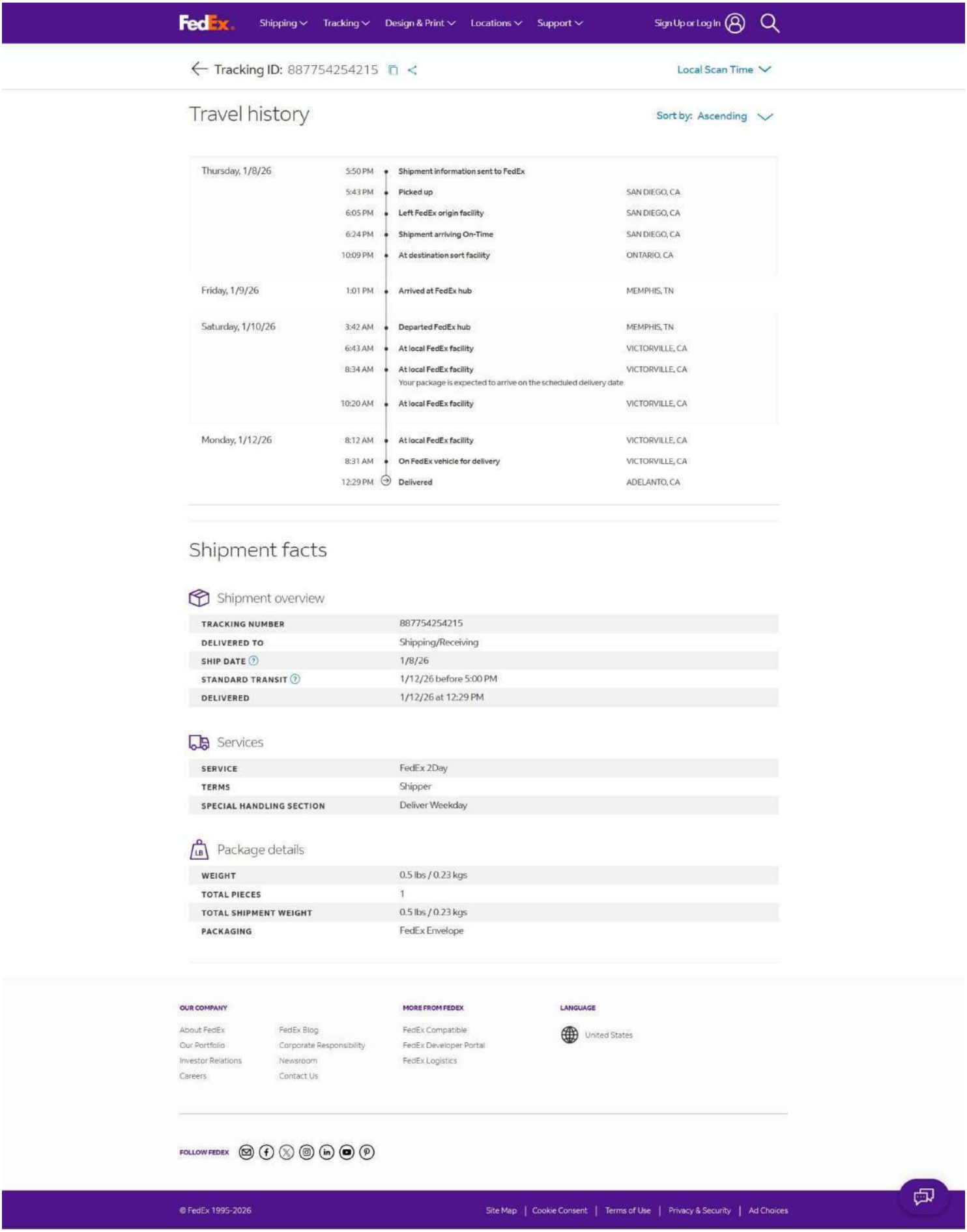
**SP DAGA**

**92301**
**CA-US ONT**

After printing this label:
**CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH**
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

**Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of $100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of $100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is $1,000, e.g. Jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.**

# Exhibit G


FedEx
Shipping
Tracking
Design & Print
Locations
Support
Sign Up or Log In
Tracking ID: 887754254215
Local Scan Time
Travel history
Sort by: Ascending
Thursday, 1/8/26
5:50 PM Shipment information sent to FedEx
5:43 PM Picked up SAN DIEGO, CA
6:05 PM Left FedEx origin facility SAN DIEGO, CA
6:24 PM Shipment arriving On-Time SAN DIEGO, CA
10:09 PM At destination sort facility ONTARIO, CA
Friday, 1/9/26
1:01 PM Arrived at FedEx hub MEMPHIS, TN
Saturday, 1/10/26
3:42 AM Departed FedEx hub MEMPHIS, TN
6:43 AM At local FedEx facility VICTORVILLE, CA
8:34 AM At local FedEx facility VICTORVILLE, CA
Your package is expected to arrive on the scheduled delivery date
10:20 AM At local FedEx facility VICTORVILLE, CA
Monday, 1/12/26
8:12 AM At local FedEx facility VICTORVILLE, CA
8:31 AM On FedEx vehicle for delivery VICTORVILLE, CA
12:29 PM Delivered ADELANTO, CA
Shipment facts
Shipment overview
TRACKING NUMBER 887754254215
DELIVERED TO Shipping/Receiving
SHIP DATE 1/8/26
STANDARD TRANSIT 1/12/26 before 5:00 PM
DELIVERED 1/12/26 at 12:29 PM
Services
SERVICE FedEx 2Day
TERMS Shipper
SPECIAL HANDLING SECTION Deliver Weekday
Package details
WEIGHT 0.5 lbs / 0.23 kgs
TOTAL PIECES 1
TOTAL SHIPMENT WEIGHT 0.5 lbs / 0.23 kgs
PACKAGING FedEx Envelope
OUR COMPANY
About FedEx
Our Portfolio
Investor Relations
Careers
FedEx Blog
Corporate Responsibility
Newsroom
Contact Us
MORE FROM FEDEX
FedEx Compatible
FedEx Developer Portal
FedEx Logistics
LANGUAGE
United States
FOLLOW FEDEX
© FedEx 1995-2026
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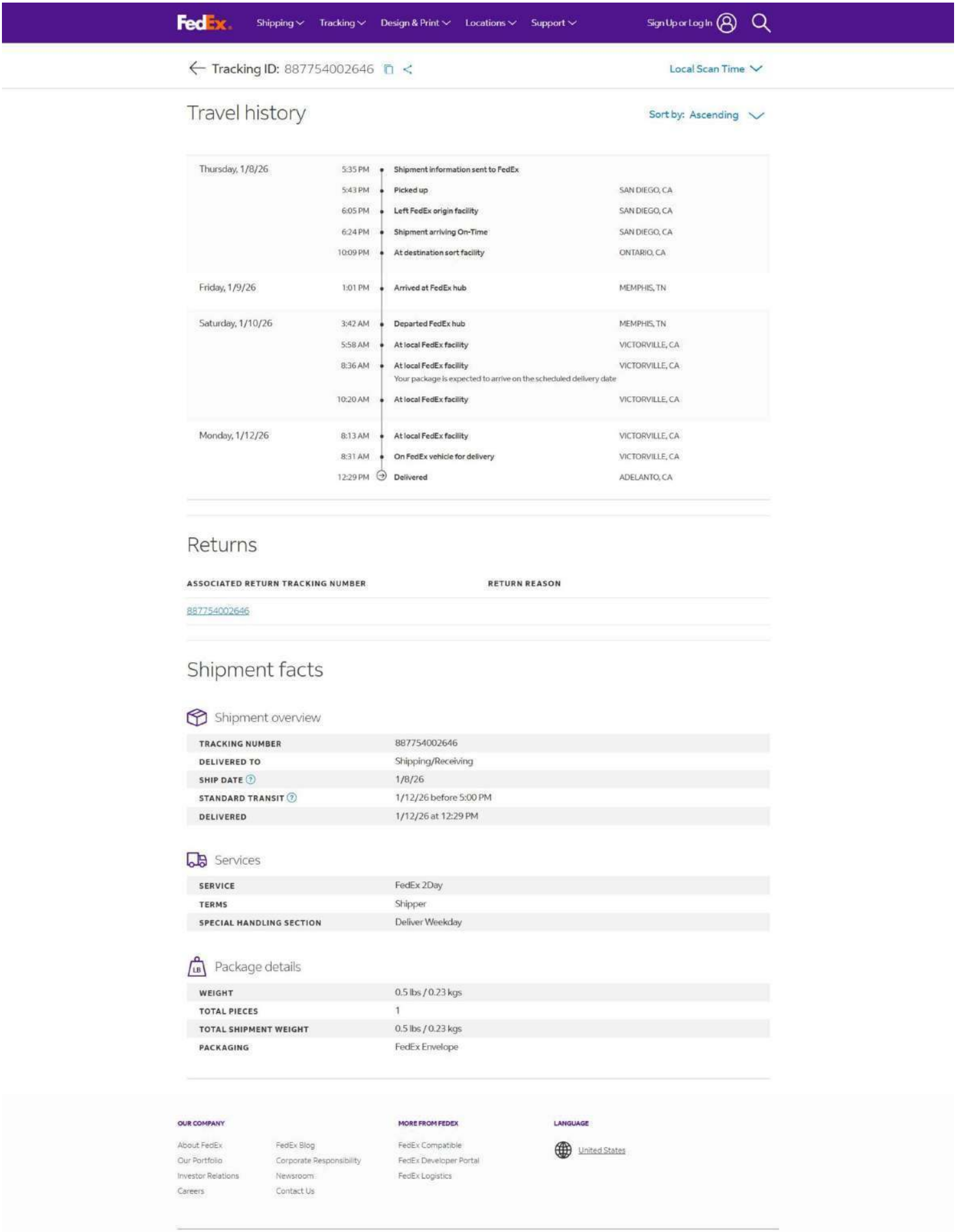

FedEx
Shipping
Tracking
Design & Print
Locations
Support
Sign Up or Log In
Tracking ID: 887754002646
Local Scan Time
Travel history
Sort by: Ascending
Thursday, 1/8/26
5:35 PM Shipment information sent to FedEx
5:43 PM Picked up SAN DIEGO, CA
6:05 PM Left FedEx origin facility SAN DIEGO, CA
6:24 PM Shipment arriving On-Time SAN DIEGO, CA
10:09 PM At destination sort facility ONTARIO, CA
Friday, 1/9/26
1:01 PM Arrived at FedEx hub MEMPHIS, TN
Saturday, 1/10/26
3:42 AM Departed FedEx hub MEMPHIS, TN
5:58 AM At local FedEx facility VICTORVILLE, CA
8:36 AM At local FedEx facility VICTORVILLE, CA
Your package is expected to arrive on the scheduled delivery date
10:20 AM At local FedEx facility VICTORVILLE, CA
Monday, 1/12/26
8:13 AM At local FedEx facility VICTORVILLE, CA
8:31 AM On FedEx vehicle for delivery VICTORVILLE, CA
12:29 PM Delivered ADELANTO, CA
Returns
ASSOCIATED RETURN TRACKING NUMBER
RETURN REASON
887754002646
Shipment facts
Shipment overview
TRACKING NUMBER 887754002646
DELIVERED TO Shipping/Receiving
SHIP DATE 1/8/26
STANDARD TRANSIT 1/12/26 before 5:00 PM
DELIVERED 1/12/26 at 12:29 PM
Services
SERVICE FedEx 2Day
TERMS Shipper
SPECIAL HANDLING SECTION Deliver Weekday
Package details
WEIGHT 0.5 lbs / 0.23 kgs
TOTAL PIECES 1
TOTAL SHIPMENT WEIGHT 0.5 lbs / 0.23 kgs
PACKAGING FedEx Envelope
OUR COMPANY
About FedEx
Our Portfolio
Investor Relations
Careers
FedEx Blog
Corporate Responsibility
Newsroom
Contact Us
MORE FROM FEDEX
FedEx Compatible
FedEx Developer Portal
FedEx Logistics
LANGUAGE
United States

# Exhibit H

ORIGIN ID:BFLA (661) 859-1028
MESA VERDE ICE
PROCESSING CENTER
425 GOLDEN STATE AVE

BAKERSFIELD, CA 93301
UNITED STATES US

SHIP DATE: 04DEC25
ACTWGT: 0.25 LB
CAD: 263044747/INET4535

TO **OTAVIO H SILVA**
**YOUSA LAW FIRM**
**5051 LA JOLLA BLVD**
**202**
**SAN DIEGO CA 92109**
(619) 446-8626
INV:
PO:
REF:
DEPT:

58HJ4/2C22/59F2

**RMA:**

FedEx Express

J254025092401uv

**RETURNS MON-FRI**
**STANDARD OVERNIGHT**

TRK# **7920 6713 5008**
0221

**92109**

**CA-US**

After printing this label:
**CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH**
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

**Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of $100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of $100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is $1,000, e.g. Jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.**

ORIGIN ID:SDMA (619) 446-8626
OTAVIO H SILVA
YOUSA LAW FIRM
5051 LA JOLLA BLVD
202
SAN DIEGO, CA 92109
UNITED STATES US

SHIP DATE: 04DEC25
ACTWGT: 0.25 LB
CAD: 263044747/INET4535

BILL SENDER

TO **MESA VERDE ICE**
**PROCESSING CENTER**
**425 GOLDEN STATE AVE**

**BAKERSFIELD CA 93301**
(661) 859-1028 REF:
INV:
PO: DEPT:

58HJ4/2C22/59F2

FedEx Express

J254025092401uv

**FRI - 05 DEC 5:00P**
**STANDARD OVERNIGHT**

TRK# **8867 4575 8213**
0201

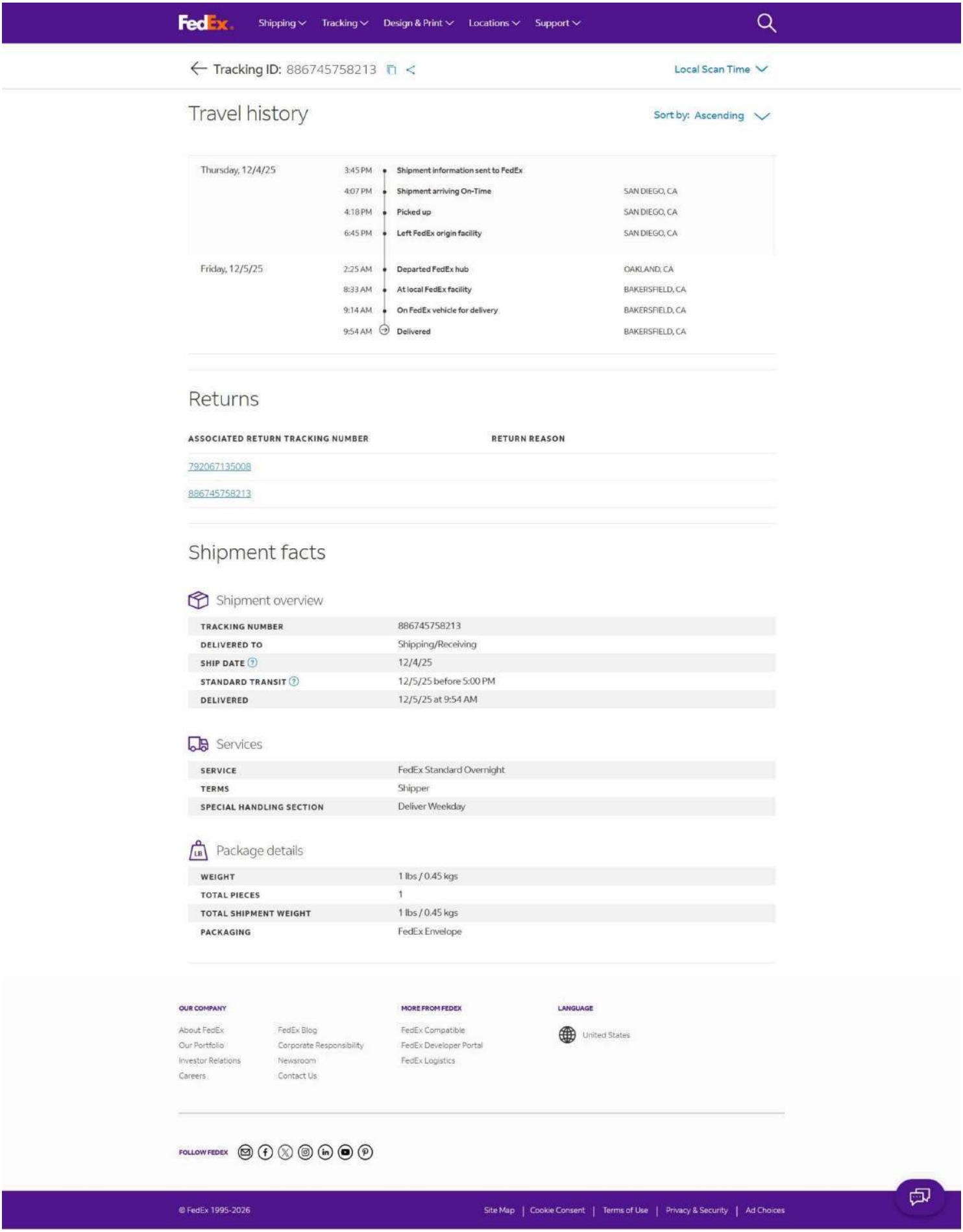
**93301**
**CA-US ONT**

**WM BFLA**

After printing this label:
**CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH**
1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

**Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of $100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of $100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is $1,000, e.g. Jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.**

# Exhibit I


FedEx
Shipping
Tracking
Design & Print
Locations
Support
Tracking ID: 886745758213
Local Scan Time
Travel history
Sort by: Ascending
Thursday, 12/4/25
3:45 PM Shipment information sent to FedEx
4:07 PM Shipment arriving On-Time SAN DIEGO, CA
4:18 PM Picked up SAN DIEGO, CA
6:45 PM Left FedEx origin facility SAN DIEGO, CA
Friday, 12/5/25
2:25 AM Departed FedEx hub OAKLAND, CA
8:33 AM At local FedEx facility BAKERSFIELD, CA
9:14 AM On FedEx vehicle for delivery BAKERSFIELD, CA
9:54 AM Delivered BAKERSFIELD, CA
Returns
ASSOCIATED RETURN TRACKING NUMBER
RETURN REASON
792067135008
886745758213
Shipment facts
Shipment overview
TRACKING NUMBER 886745758213
DELIVERED TO Shipping/Receiving
SHIP DATE 12/4/25
STANDARD TRANSIT 12/5/25 before 5:00 PM
DELIVERED 12/5/25 at 9:54 AM
Services
SERVICE FedEx Standard Overnight
TERMS Shipper
SPECIAL HANDLING SECTION Deliver Weekday
Package details
WEIGHT 1 lbs / 0.45 kgs
TOTAL PIECES 1
TOTAL SHIPMENT WEIGHT 1 lbs / 0.45 kgs
PACKAGING FedEx Envelope
OUR COMPANY
About FedEx
Our Portfolio
Investor Relations
Careers
FedEx Blog
Corporate Responsibility
Newsroom
Contact Us
MORE FROM FEDEX
FedEx Compatible
FedEx Developer Portal
FedEx Logistics
LANGUAGE
United States
FOLLOW FEDEX
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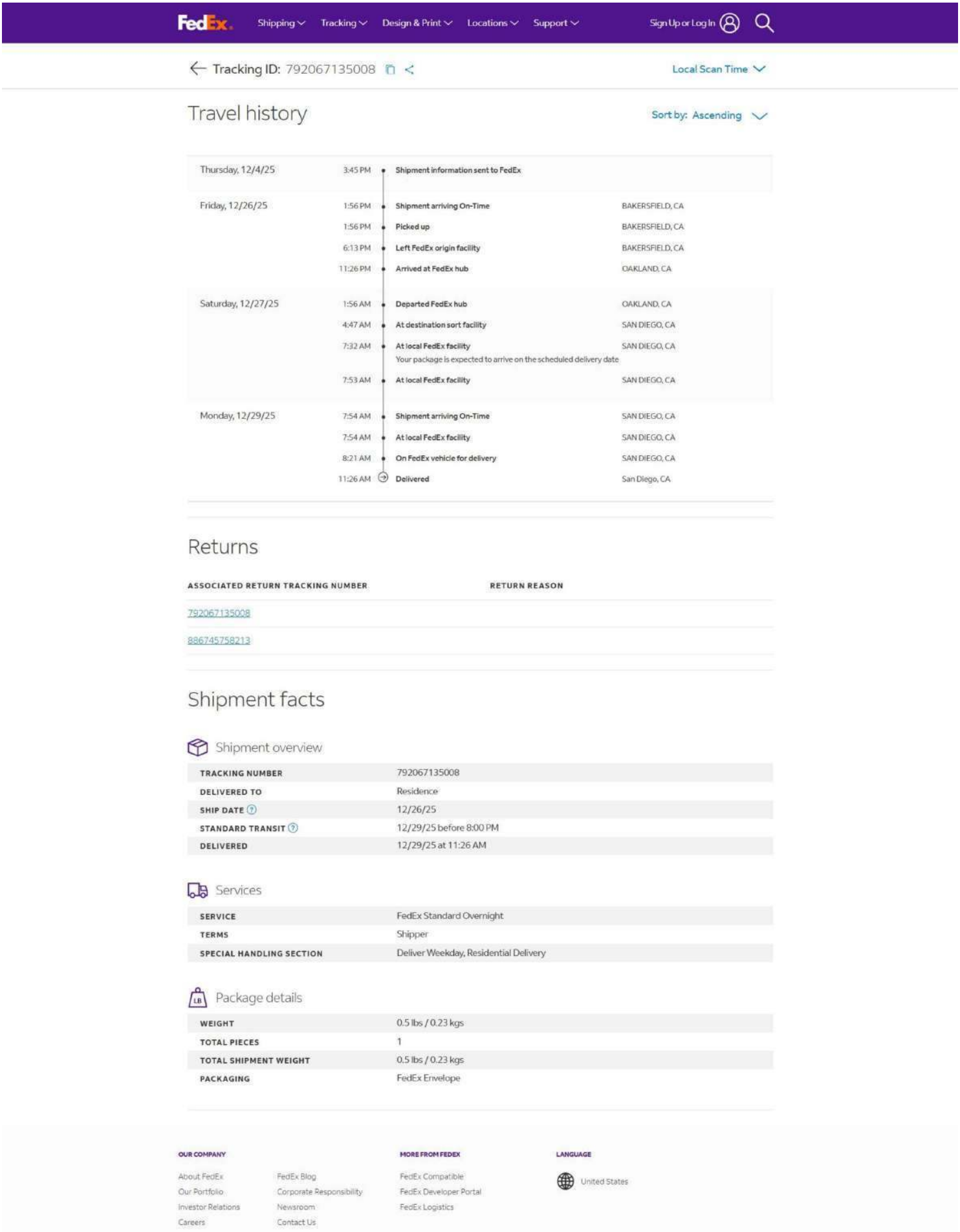
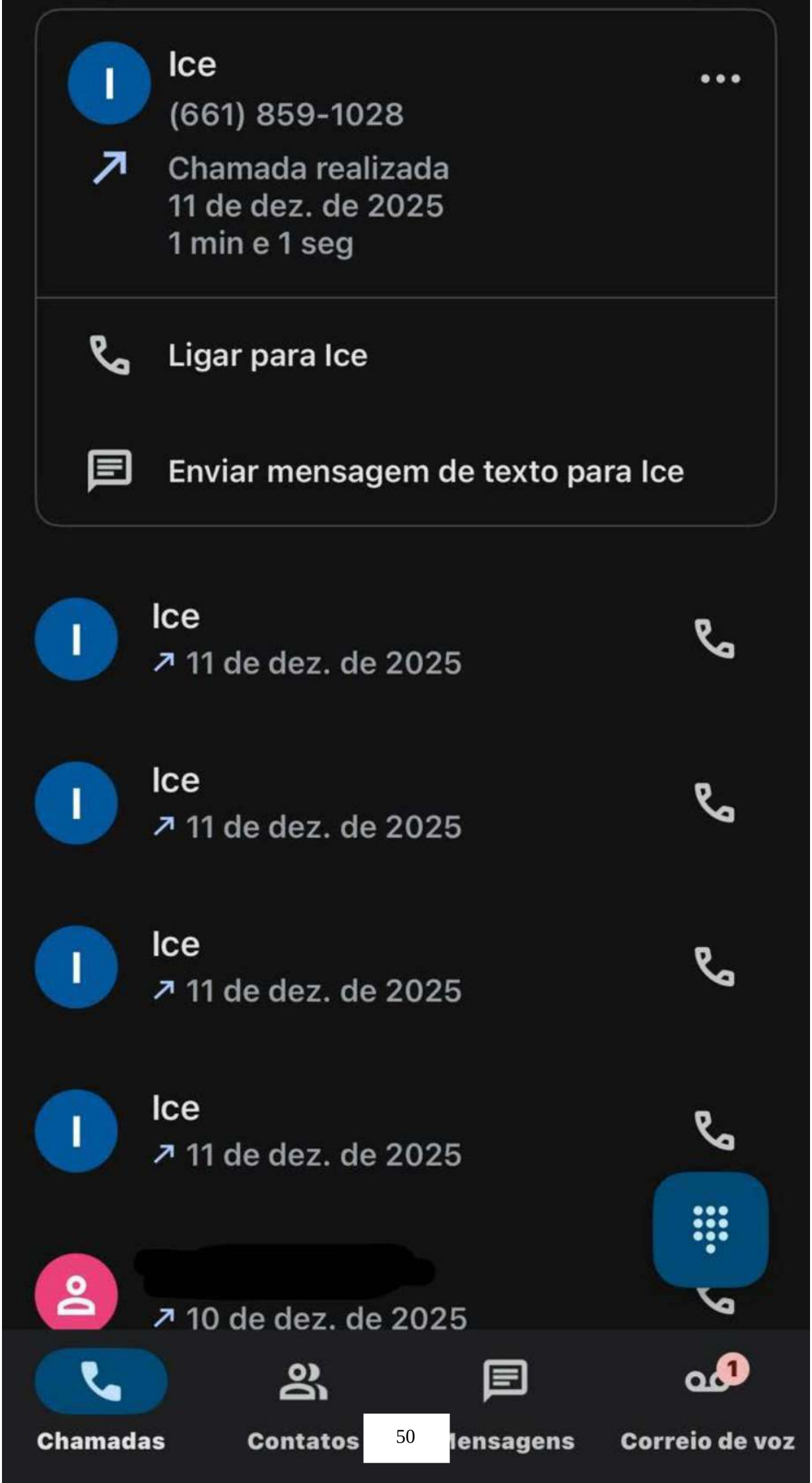

FedEx
Shipping
Tracking
Design & Print
Locations
Support
Sign Up or Log In
Tracking ID: 792067135008
Local Scan Time
Travel history
Sort by: Ascending
Thursday, 12/4/25
3:45 PM Shipment information sent to FedEx
Friday, 12/26/25
1:56 PM Shipment arriving On-Time BAKERSFIELD, CA
1:56 PM Picked up BAKERSFIELD, CA
6:13 PM Left FedEx origin facility BAKERSFIELD, CA
11:26 PM Arrived at FedEx hub OAKLAND, CA
Saturday, 12/27/25
1:56 AM Departed FedEx hub OAKLAND, CA
4:47 AM At destination sort facility SAN DIEGO, CA
7:32 AM At local FedEx facility SAN DIEGO, CA
Your package is expected to arrive on the scheduled delivery date
7:53 AM At local FedEx facility SAN DIEGO, CA
Monday, 12/29/25
7:54 AM Shipment arriving On-Time SAN DIEGO, CA
7:54 AM At local FedEx facility SAN DIEGO, CA
8:21 AM On FedEx vehicle for delivery SAN DIEGO, CA
11:26 AM Delivered San Diego, CA
Returns
ASSOCIATED RETURN TRACKING NUMBER
RETURN REASON
792067135008
886745758213
Shipment facts
Shipment overview
TRACKING NUMBER 792067135008
DELIVERED TO Residence
SHIP DATE 12/26/25
STANDARD TRANSIT 12/29/25 before 8:00 PM
DELIVERED 12/29/25 at 11:26 AM
Services
SERVICE FedEx Standard Overnight
TERMS Shipper
SPECIAL HANDLING SECTION Deliver Weekday, Residential Delivery
Package details
WEIGHT 0.5 lbs / 0.23 kgs
TOTAL PIECES 1
TOTAL SHIPMENT WEIGHT 0.5 lbs / 0.23 kgs
PACKAGING FedEx Envelope
OUR COMPANY
About FedEx
Our Portfolio
Investor Relations
Careers
FedEx Blog
Corporate Responsibility
Newsroom
Contact Us
MORE FROM FEDEX
FedEx Compatible
FedEx Developer Portal
FedEx Logistics
LANGUAGE
United States

# Exhibit J


Ice
(661) 859-1028
Chamada realizada
11 de dez. de 2025
1 min e 1 seg
Ligar para Ice
Enviar mensagem de texto para Ice
Ice
11 de dez. de 2025
Ice
11 de dez. de 2025
Ice
11 de dez. de 2025
Ice
11 de dez. de 2025
[redacted]
10 de dez. de 2025
Chamadas
Contatos
Correio de voz

# Exhibit K

YOUSA Law Firm

**Rafaela Teixeira Silva <rafaela.teixeira@yousalaw.com>**

# Request for Confirmation of Delivery of FedEx Legal Mail – Detainee Luis Ernesto Lliguishusca Loja, A# 240 159 856

2 mensagens

**Otavio Silva** <otavio@legalhs.com> 15 de dezembro de 2025 às 19:08
Para: mvipcattorney@geogroup.com, SanFrancisco.Outreach@ice.dhs.gov
Cco: rafaela.teixeira@yousalaw.com

To whom it may concern,

I am writing as the representative for detainee **Luis Ernesto Lliguishusca Loja**, A# **240 159 856**, currently held at the Mesa Verde ICE Processing Center. See attached Form G-28 confirming representation.

On **December 4, 2025**, our office sent a FedEx Overnight package to Mr. Lliguishusca Loja containing an original **USCIS Form I-589 (Application for Asylum and for Withholding of Removal)** for him to review and sign. According to FedEx tracking, the package was **delivered to Mesa Verde on December 5, 2025**.

**Outgoing FedEx Tracking Number:** 792067135008
**Return FedEx Tracking Number (pre-paid label inside the envelope):** 886745758213
**Facility Address Used:**
Mesa Verde ICE Processing Center
425 Golden State Ave
Bakersfield, CA 93301
**Return Address on the Envelope:**
5051 La Jolla Blvd #202
San Diego, CA 92109

As of **today, December 11, 2025**, we have not received the signed Form I-589 back, nor any confirmation that the packet has been delivered to Mr. Lliguishusca Loja.
Because this is a **time-sensitive asylum application** with important filing deadlines, we respectfully request:

1. Confirmation whether the FedEx package associated with tracking number **792067135008** has been received, logged, and located by the facility;
2. Confirmation whether the envelope has been delivered to detainee **Luis Ernesto Lliguishusca Loja (A# 240 159 856)**; and
3. If it has not yet been delivered, that it please be delivered to him as soon as possible so that he can sign the Form I-589 and return it using the enclosed pre-paid FedEx return label (**tracking number 886745758213**).

If there are any issues or additional steps required for Mr. Lliguishusca Loja to receive this legal mail or to send the signed forms back, please let us know immediately so we can address them.

Thank you in advance for your attention to this matter and for confirming the status of this time-sensitive legal mailing.

Sincerely,

H|S
OTAVIO HAVERROTH SILVA
Attorney at Law
+1 (510) 241-9336
www.legalhs.com

**G28 -Luis Loja (1).pdf**
2740K

---

**Otavio Silva** <otavio@legalhs.com> 15 de dezembro de 2025 às 19:57
Para: rafaela.teixeira@yousalaw.com, Carolina Piazza da Silva <carolina@yousalaw.com>, ananda@yousalaw.com, thais.oliveira@yousalaw.com

H|S OTAVIO HAVERROTH SILVA
Attorney at Law
+1 (510) 241-9336
www.legalhs.com

---------- Forwarded message ---------
From: **MVIPC Attorney** <MVIPCAttorney@geogroup.com>
Date: Mon, Dec 15, 2025 at 7:52 PM
Subject: Re: [EXTERNAL] Request for Confirmation of Delivery of FedEx Legal Mail – Detainee Luis Ernesto Lliguishusca Loja, A# 240 159 856
To: Otavio Silva <otavio@legalhs.com>

This email is only used for attorney purpose please contact the facility mail clerk at (661)859-1028 ext.115

---

**From:** Otavio Silva <otavio@legalhs.com>
**Sent:** Monday, December 15, 2025 2:08 PM
**To:** MVIPC Attorney <MVIPCAttorney@geogroup.com>; SanFrancisco.Outreach@ice.dhs.gov <SanFrancisco.Outreach@ice.dhs.gov>
**Subject:** [EXTERNAL] Request for Confirmation of Delivery of FedEx Legal Mail – Detainee Luis Ernesto Lliguishusca Loja, A# 240 159 856

[Texto das mensagens anteriores oculto]

YOUSA Law Firm

**Rafaela Teixeira Silva <rafaela.teixeira@yousalaw.com>**

# Request for Confirmation of Delivery of FedEx Legal Mail – Detainee Luis Ernesto Lliguishusca Loja, A# 240 159 856

1 mensagem

**Otavio Silva** <otavio@legalhs.com> 16 de dezembro de 2025 às 19:44
Para: bkidetained@ice.dhs.gov
Cco: rafaela.teixeira@yousalaw.com

To whom it may concern,

I am writing as the representative for detainee **Luis Ernesto Lliguishusca Loja**, A# **240 159 856**, currently held at the Mesa Verde ICE Processing Center. See attached Form G-28 confirming representation.

On **December 4, 2025**, our office sent a FedEx Overnight package to Mr. Lliguishusca Loja containing an original **USCIS Form I-589 (Application for Asylum and for Withholding of Removal)** for him to review and sign. According to FedEx tracking, the package was **delivered to Mesa Verde on December 5, 2025**.

**Outgoing FedEx Tracking Number:** 792067135008
**Return FedEx Tracking Number (pre-paid label inside the envelope):** 886745758213
**Facility Address Used:**
Mesa Verde ICE Processing Center
425 Golden State Ave
Bakersfield, CA 93301
**Return Address on the Envelope:**
5051 La Jolla Blvd #202
San Diego, CA 92109

As of **today, December 11, 2025**, we have not received the signed Form I-589 back, nor any confirmation that the packet has been delivered to Mr. Lliguishusca Loja.
Because this is a **time-sensitive asylum application** with important filing deadlines, we respectfully request:

1. Confirmation whether the FedEx package associated with tracking number **792067135008** has been received, logged, and located by the facility;
2. Confirmation whether the envelope has been delivered to detainee **Luis Ernesto Lliguishusca Loja (A# 240 159 856)**; and
3. If it has not yet been delivered, that it please be delivered to him as soon as possible so that he can sign the Form I-589 and return it using the enclosed pre-paid FedEx return label (**tracking number 886745758213**).

If there are any issues or additional steps required for Mr. Lliguishusca Loja to receive this legal mail or to send the signed forms back, please let us know immediately so we can address them.

Thank you in advance for your attention to this matter and for confirming the status of this time-sensitive legal mailing.

Sincerely,

H|S OTAVIO HAVERROTH SILVA
Attorney at Law
+1 (510) 241-9336
www.legalhs.com

**G28 -Luis Loja (1) (1).pdf**
2740K

YOUSA Law Firm

**Rafaela Teixeira Silva <rafaela.teixeira@yousalaw.com>**

# Fwd: Automatic reply: Request for Confirmation of Delivery of FedEx Legal Mail – Detainee Luis Ernesto Lliguishusca Loja, A# 240 159 856

1 mensagem

**Otavio Silva** <otavio@legalhs.com> 15 de dezembro de 2025 às 19:52
Para: admin@yousalaw.com, rafaela.teixeira@yousalaw.com, Carolina Piazza da Silva <carolina@yousalaw.com>, ananda@yousalaw.com

H|S OTAVIO HAVERROTH SILVA
Attorney at Law
+1 (510) 241-9336
www.legalhs.com

---------- Forwarded message ---------
From: **San Francisco.Outreach** <sanfrancisco.outreach@ice.dhs.gov>
Date: Mon, Dec 15, 2025 at 7:12 PM
Subject: Automatic reply: Request for Confirmation of Delivery of FedEx Legal Mail – Detainee Luis Ernesto Lliguishusca Loja, A# 240 159 856
To: Otavio Silva <otavio@legalhs.com>

THIS IS AN AUTOMATED MESSAGE – PLEASE DO NOT REPY DIRECTLY TO THIS EMAIL

***Important Updates as of Monday, September 22, 2025***

Casework for individuals detained at the Golden State Annex, McFarland, CA is now managed by the Enforcement and Removal Operations, Fresno Sub-Office. Please direct all communications pertaining to aliens detained at the Golden State Annex, or inquiries for the Deportation Officers managing cases at the facility to the Fresno Detained Team email, FREDetainedTeam@ice.dhs.gov. Please note that a G-28 must be on file for any information to be disclosed.

Effective October 1, 2025, the San Francisco Office will no longer accept telephonic and email reporting for those with reporting requirements to Enforcement and Removal Operations (ERO) staff (Alternatives to Detention (ATD) and Non-Detained Participants). All reporting must be done in-person at the designated office location where the alien's case is docketed. **The only exception is for the Morgan Hill Sub-Office where telephonic and email reporting may continue until further notice.** Telephonic and email reporting will no longer be monitored after October 1, 2025. All telephonic and email reporting made after October 1, 2025 will not be considered in compliance with reporting requirements.

**Our new phone number for the Field Office located at 630 Sansome Street, San Francisco, CA 94111 is 415-365-8800**. The old number of 415-844-5512 has been disconnected as of January 2024 and is no longer in use.

Thank you for contacting U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) **San Francisco Field Office** with your question or concern. ERO is dedicated to ensuring that the community is fully informed of our programs and processes, and to answering your inquiry in a timely manner. Your inquiry will be reviewed by a member of our outreach team, and if appropriate, a response will be provided.

**Effective October 1, 2025, all reporting must be conducted in-person to the designated (where case is docketed) Enforcement and Removal Office within the San Francisco Field Office Area of Responsibility.**

The San Francisco Field Office is open for walk-in reporting during general office hours from 7am to 3pm, Monday through Friday, except for holidays. For requests such as retrieving documents or re-issuance of your release paperwork (Form I-220A or Form I-220B), it is recommended to make the request in advance by emailing SanFrancisco.Outreach@ice.dhs.gov. All visitors may be required to wear a mask to enter the building.

- Individual and family unit (FAMU) aliens released from the custody of immigration officials along the southwest border of the United States and instructed to report to a local ICE office should use the Field Office Appointment Scheduler at Check-In | ICE to schedule an appointment.

**Application for a Stay of Deportation or Removal, Form I-246**

We are no longer accepting stay requests by mail. For cases under docket control within the San Francisco area of responsibility, the application must be submitted in person at the appropriate ERO office listed below. The request must be accompanied by a cashier's check or money order payable to, "U.S. Department of Homeland Security" or "U.S. Immigration and Customs Enforcement", or request for a fee waiver, Form I-912. The alien must be present at the time the stay request is submitted.

**ERO San Francisco, CA**

630 Sansome Street, Room 590

San Francisco, CA 94111

(415) 365-8800

**ERO Sacramento, CA**

650 Capitol Mall, Room I-120

Sacramento, CA 95814

(916) 329-4300

**ERO Bakersfield, CA**

800 Truxtun Ave 1st Floor

Bakersfield, CA 93301

(661) 281-6500

**ERO Honolulu, HI**

300 Ala Moana Blvd., Suite 4-222

Honolulu, HI 96850

(808) 529-1970

**ERO Guam**

291 Chalan Pasaheru

Tamuning, GU 96913

(671) 645-2469

**ERO Saipan**

Joden Center #2 Guala Rai

Saipan, MP 96950

(670) 237-6000

**BONDS**

Bond posting is now done electronically. Please visit Post a Bond | ICEfor instructions and more information.

**MAILBOXES**
Attorneys may send case specific questions and requests to SFR-ERO-INQUIRIES@ice.dhs.gov (**for cases managed by the San Francisco office only**).

For general inquiries, please contact the San Francisco Field Office at SanFrancisco.Outreach@ice.dhs.gov.

We have a dedicated mailbox for our Sacramento and Stockton ERO offices:
Sacramento.Outreach@ice.dhs.gov
Stockton.Outreach@ice.dhs.gov

For detained cases at the ICE Mesa Verde Processing Facility and the California City Detention Facility, please email the Bakersfield Detained Unit at bkidetained@ice.dhs.gov.

For detained cases at the Golden State Annex, please email the Fresno Detained Unit at FREDetainedTeam@ice.dhs.gov.

Be sure to include/provide a copy of your G-28 and the Alien Registration Number with your inquiry. Due to privacy considerations, we may not be able to provide case specific information by email or phone.

If you are trying to locate an individual who is being held by ICE, please visit the Online Detainee Locator System (ODLS) at https://locator.ice.gov/odls/.

If you wish to report a crime or violation, please click https://www.ice.gov/webform/hsi-tip-form or call **1-866-DHS-2-ICE**.

Please remember we cannot share any details with you about another person without a signed Form G-28, privacy wavier, or, in certain circumstances, appropriate verification of an agency relationship with the individual. For information on ICE privacy regulations, please visit: https://www.ice.gov/about-ice/management-administration/privacy.

If this is a concern that requires immediate attention, please be assured we will look into it as promptly as possible.

Sincerely,

The San Francisco ERO Outreach Team

# Exhibit L

YOUSA Law Firm | SANTANNA LAW·OFFICES

**December 04, 2025**

Name: Luis Ernesto Lliguishusca Loja
A#: 240-159-856
Date of Birth: 05/24/2006

## INSTRUCTIONS FOR THE DETAINEE

In this package, you will find:

1) Some pages of the form corresponding to your asylum application. We need your signature in order to send it to the court. --> You only need to SIGN where indicated.

2) Questionnaire -- FREE answers (on separate sheet).

### WHAT YOU MUST DO NOW

1) Sign the I-589
- Sign and date ONLY in the marked fields (as shown in the screenshot).
- Do not fill out anything else on the form.
- Use a black or blue pen.

Page 9 of the form:

Signature of Applicant *(The person in Part A.1)*

➡ [ ] 12/04/2025

Sign your name so it all appears within the brackets — Date (mm/dd/yyyy)

**Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child**

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

| Signature of Preparer | Print Complete Name of Preparer: Natalia Vieira Santanna |
|---|---|
| Daytime Telephone Number: ( 510 ) 9220154 | Address of Preparer: Street Number and Name: PO Box 7528 |
| Apt. Number | City: Oakland / State: CA / Zip Code: 94601 |

| To be completed by an attorney or accredited representative (if any). | ☐ Select this box if Form G-28 is attached. | Attorney State Bar Number (if applicable): 337502 | Attorney or Accredited Representative USCIS Online Account Number (if any): 0 6 3 4 6 0 3 2 7 9 7 4 |
|---|---|---|---|

Form I-589 Edition 01/20/25 — Page 9 of 12

On the next sheet:

**Application for Asylum and for Withholding of Removal Supplement A**

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

| A-Number *(If available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| Applicant's Name | Applicant's Signature |
| Luis Ernesto Lliguishusca Loja | |

On the last sheet:

**Application for Asylum and for Withholding of Removal Supplement B**

Department of Homeland Security
U.S. Citizenship and Immigration Services

USCIS
Form I-589
OMB No. 1615-0069
Expires 09/30/2027

**Additional Information About Your Claim to Asylum**

| A-Number *(if available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| Applicant's Name | Applicant's Signature |
| Luis Ernesto Lliguishusca Loja | |

NOTE: *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part N/A

Question N/A

2) Answer the Questionnaire (separate sheet)

- Answer in your own words; you may write in Spanish.

- Provide details. If you do not know the exact dates, write “approx.” and explain.

- If you need more space, use another blank sheet.

3) **Return everything to the officers and request that it be mailed to the address on the package**

- Place the SIGNED FORM and the QUESTIONNAIRE in the SAME envelope.

- Seal the envelope and give it to the officers. They will mail it to us using the pre-addressed envelope.

**WHY IS THE I-589 NECESSARY?**

- Completing/signing the Asylum Form (I-589) is part of your release case. At this stage, you only need to sign; the firm will organize and complete the rest.

Thank you for your help.

If you have any questions, please call (856) 425-2508.

## APPLICATION FOR ASYLUM AND WITHHOLDING OF REMOVAL

**Guidelines for completing the questionnaire:**

**Please complete the following questionnaire carefully. This document is essential for us to gather the necessary information, better understand your case, and proceed with completing the required forms.**

**It is essential that all information be filled out completely, accurately, and truthfully.**

**Do not omit or provide false information, as this may jeopardize the approval of your application and have legal implications.**

**Please answer all the questions below carefully.**

**1)** When was the last time you left your country? (mm/dd/yyyy)
*--> 04/26/2023*

**2)** Please list all the addresses where you have lived in the last five years. For each address, provide the following information:

**Full address:**
**City:**
**Country:**
**Date of entry (month/year):**
**Date of departure (month/year):**

Example:

**Address:** 123 Rafael Bandeira Street, Apt. 307
**City:** Florianópolis
**Country:** Brazil
**Date of entry:** 05/2020
**Date of departure:** 06/2021

Note: If you do not know the exact month, provide the closest possible date.

List your current address first, then continue in chronological order.

*--> Full address: 30 Alden Ave.*
*City: Albany, New York*
*Country: USA*
*Date of entry: 05/23/2023*
*Date of departure: 07/26/2025*

*Full address: 78 Benson St.*
*City: Albany - New York*
*Country: USA*
*Date of entry: 07/26/2025*

**3)** What was your last residential address before coming to the USA?

*--> Full address: Comunidad La Esperanza*
*City: Cañar*
*Country: Ecuador*

**4)** Please list all educational institutions you have attended, including the following information for each one. We need you to list all the schools you have attended, from the first grade of primary school to the last level of education you completed:

**Name of Institution:**
**Address (if you do not know the full address, provide at least the city and country):**
**Type of Education (specify the educational level—for example: primary education, secondary education, university, technical course, etc.):**
**Date of Enrollment (indicate the month and year you began studying at the institution):**
**Date of Completion (indicate the month and year you completed your studies at the institution):**

Example:

**Name of Institution:** ABCDE School
**Address:** 123 Example Street, Example City, Example Country
**Type of Education:** Primary Education
**Date of Enrollment:** 01/2015
**Date of Completion:** 01/2020

Note: If you do not know the exact month, provide the closest possible date. In Brazil, academic years generally follow the calendar from January to December, which can help in estimating dates.
Start with the last school you attended and continue in chronological order.

*--> Comunidad La Esperanza, Chontamayca Cañar Parish*

*Country: Ecuador*

*Primary Education*

*Name of Institution: 24 de Julio*

*Address: Comunidad La Esperanza*

*Type of Education: Primary Education*

*Start Date: 05/2012*

*Date of departure: 02/2019*

**5)** Please list all jobs you have had in the last five years (including informal jobs and jobs in the USA), providing the following information for each one:

**Name of company/organization** (if you were self-employed, you can write “self-employed”)

**Address of workplace**

**Position**

**Start date** (indicate the month and year you started working at the company/organization)
**End date** (indicate the month and year you left the company/organization)

**Example 1:**

**Name of company/organization:** Company Y
**Address:** 456, São João Street, São Paulo, Brazil
**Position:** Cashier
**Start date:** 01/2019
**End date:** 01/2024

**Example 2:**

**Company/organization name:** Self-employed/Uber
**Address:** Home office/various addresses
**Position:** Driver
**Start date**: 03/2022
**End date:** 07/2022

**Note:** If you do not know the exact month, provide the closest possible date.

**Important:** List your most recent job first and continue in reverse chronological order.

*--> Company -> Pinacle -> Albany, New York*
*--> Position -> Employee/worker*
*--> Start date -> 06/2023*
*--> End date -> 08/2025*

---

*--> Construction, Cañar, Ecuador*
*--> Position -> Foreman*
*--> Start date -> 01/2021*
*--> End date -> 04/2023*

**6)** Please provide the full names of all family members (father, mother, sisters, and brothers), along with their city of birth and current city of residence.

Note: If any family members have passed away, please indicate this information.

Example:

**Mother:**

Full name: Maria Oliveira Silva
City of birth: Campinas, SP
Current city of residence: Rio de Janeiro, RJ

**Father:**

Full name: João Silva
City of birth: São Paulo, SP
Current city of residence: Rio de Janeiro, RJ

**Brother:**

Full name: Pedro Oliveira Silva
City of birth: São Paulo, SP
Current city of residence: Belo Horizonte, MG

**Sister:**

Full name: Ana Oliveira Silva
City of birth: São Paulo, SP
Current city of residence: Deceased

->

- Mother -> María Manuela Loja Guamar
- Cañar, Ecuador
- Cañar, Ecuador, Father -> Jose Manuel Lliguihusca Loja
- Brother -> Manuel María Lliguishusca Loja -> Cañar, Ecuador
- Brother -> Luis Carlos Lliguishusca Loja -> Cañar, Ecuador
- Sister -> María Balbina Lliguishusca Loja -> Cañar, Ecuador
- Sister -> Ana Cristina Lliguishusca Loja -> Cañar, Ecuador
- Brother -> Jose Favian Lliguishusca Loja -> Cañar, Ecuador
- Brother -> Luis Patricio Lliguishusca Loja -> Cañar, Ecuador

**7)** Have you or any member of your family been accused, arrested, detained, interrogated, convicted, or sentenced, or have you been imprisoned in any way in a country other than the United States (including for violation of immigration law)? If yes, explain who was involved, what crime was committed, when it occurred, in which country, and what the consequences of the act were (detention, acquittal, conviction, imprisonment, ...).

--> NO

**8)** Have you or any member of your family included in the application committed a crime and/or been arrested, charged, or convicted of a crime in the United States (including immigration law violations)?

--> NO

Note: If you were detained at the border, you must answer “yes” to this question and indicate how many days you were detained.
--> NO

**9)** When you were detained, did immigration officers give you a list of pro bono attorneys who could help you with your asylum application, either free of charge or at low cost?
--> NO

R. I. -_-_-2019.

Additional Information

Hello, my name is Luis Ernesto Lliguishusca Loja:

In this letter, I will describe my life, and why I do not want to return to my country of origin, because it has been very difficult and hard for me, which began when my father abandoned our whole family in 2019, when I was 13 years old.

One day, when I was leaving school, I ran into some people who belonged to a gang called Los Lobos Banda Negra (Sombra Negra). I met three people, two of whom I knew, Luis Fajardo and Kevin Guasco, but I couldn't identify the other one because I didn't know him. They followed me to a spot where they began to harass me, insisting that I join their group. I refused, so they surrounded me and started beating and threatening me, insisting, but I resisted even more until one of them broke my left hand. Seeing that I was almost unconscious, they left me. After a few minutes, I got up, in a lot of pain, and started walking home, which was about 20 minutes away. When I got home, my mother looked at me and was frightened. She began to ask me who had beaten me and why they had done it. I told her everything, but she couldn't understand me because of my condition at that moment. We decided to go to the center of the city of Troncal to have me checked for any broken bones or serious injuries.

When we got to the city, we found a naturopathic clinic, and I had my arm checked. They sent me to get an X-ray and found that I had fractured some parts of the bone in my arm, so I was advised to rest for a few days so it could heal and I could recover.

Additional Information

After some time, the same thing started again, and by then I was already 15 years old, so one day, unexpectedly, I received messages from Mr. Luis Fajardo telling me that he was in prison at the time and that when he got out, he would kill my family, starting with my mother, then the others, and finally me. He sent me photos of a gun, bullets, and drugs, and at that point, I was completely terrified because I didn't know when that moment would come, especially since we were defenseless due to my father's departure, and I didn't have any information about him.

My mother and I didn't know what to do because if we told the authorities or the police, they would attack us even harder because at that time there was a large number of people who had joined a group called "Sombra Negra" Los Lobos.

Until my mother asked me if I wanted to go abroad, and I didn't know what to do because there was no one at that time who could help me go.

Because of that fear, I decided not to go to school anymore because they were hanging around the schools, and so, in order not to spend all my time at home, I started working in construction. After working for a while, I bought a motorcycle with my savings so I could go anywhere or to work, safely.

R. III 5 - 12 - 22

Additional Information

One day, when I was riding my motorcycle home from work, four people on motorcycles suddenly crossed my path. It seems that the leader, Mr. Luis Fajardo, had gotten out and found me. Apparently, he was following me until they cornered me that day and attacked me without warning, just as they had said and threatened, that if I didn't join them, things would get worse. That day, they left me unconscious on the street, and that happened in the late afternoon near dusk.

At that moment, completely unconscious and stripped of my belongings, I found my phone and realized I was in a place where I didn't have good phone service. I tried to contact a family member or close friend, and the first contact that appeared was a friend, so I called him. He came about an hour later. I waited for a while lying down, unable to make any noise, hidden in a deserted place with no people or inhabitants passing by at that time.

After that incident, which was my third attack, I decided to leave the country because I was in much greater danger. Since I couldn't find anyone to help me come or bring me, I decided to take out a loan from the bank so that I could leave the country that year. (2023 departure from the country).

**I, Pedro Peski Ribeiro Lopes, telephone number 415 425-2508, mailing address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Spanish to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.**

**Date: January 21, 2026.**

**December 04, 2025**

Nombre: Luis Ernesto Lliguishusca Loja
A#: 240-159-856
Fecha de nacimiento (DOB):24/05/2006

## INSTRUCCIONES PARA LA PERSONA DETENIDA

En este paquete, encontrará:

1) Algunas páginas del formulario correspondiente a su solicitud de asilo. Necesitamos su firma para poder enviarlo a la corte. → Solo necesita FIRMAR donde esté marcado.

2) Cuestionario — Respuestas LIBRES (en hoja separada).

## LO QUE DEBE HACER AHORA

1) Firmar el I-589
- Firme y feche ÚNICAMENTE en los campos señalados (según la captura).
- No complete nada más en el formulario.
- Use bolígrafo negro o azul.

Página 9 del formulario:

Signature of Applicant *(The person in Part. A.1)*

➡ [ _____ ] 12/04/2025

Sign your name so it all appears within the brackets — Date (mm/dd/yyyy)

**Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child**

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

| Signature of Preparer | Print Complete Name of Preparer: Natalia Vieira Santanna |
|---|---|
| Daytime Telephone Number: ( 510 ) 9220154 | Address of Preparer: Street Number and Name: PO Box 7528 |

| Apt. Number | City: Oakland | State: CA | Zip Code: 94601 |
|---|---|---|---|

| To be completed by an attorney or accredited representative (if any). | ☐ Select this box if Form G-28 is attached. | Attorney State Bar Number (if applicable): 337502 | Attorney or Accredited Representative USCIS Online Account Number (if any): 0 6 3 4 6 0 3 2 7 9 7 4 |
|---|---|---|---|

Form I-589 Edition 01/20/25 — Page 9 of 12

En la hoja siguiente:

**Application for Asylum and for Withholding of Removal Supplement A**

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS Form I-589**
OMB No. 1615-0069
Expires 09/30/2027

| A-Number *(If available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| Applicant's Name | Applicant's Signature |
| Luis Ernesto Lliguishusca Loja | |

En la ultima hoja:

**Application for Asylum and for Withholding of Removal Supplement B**

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS Form I-589**
OMB No. 1615-0069
Expires 09/30/2027

**Additional Information About Your Claim to Asylum**

| A-Number *(If available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| Applicant's Name | Applicant's Signature |
| Luis Ernesto Lliguishusca Loja | |

NOTE: *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part N/A

Question N/A

2) Responder el Cuestionario (hoja separada)

- Responda con sus propias palabras; puede escribir en español.

- Dé detalles. Si no sabe fechas exactas, ponga "aprox." y explique.

- Si necesita más espacio, use otra hoja en blanco.

3) **Devolver todo a los agentes y solicitar que sea enviado por correo a la dirección que aparece en el paquete**

- Coloque el FORMULARIO FIRMADO y el CUESTIONARIO dentro del MISMO sobre.

- Cierre el sobre y entréguelo a los agentes. Ellos nos lo reenviarán por correo con el sobre ya dirigido.

YOUSA Law Firm SANTANNA LAW·OFFICES

**¿POR QUÉ ES NECESARIO EL I-589?**

- Completar/firmar el Formulario de Asilo (I-589) forma parte de su caso de release (libertad). En esta etapa, usted solo necesita firmar; la oficina organizará y finalizará el resto.

Gracias por su ayuda.

Si tienes alguna duda, llame a (856) 425-2508

## SOLICITUD DE ASILO Y DE SUSPENSIÓN DE EXPULSIÓN

**Orientaciones para el preenchimento del cuestionario:**

**Complete el siguiente cuestionario con mucha atención. Este documento es esencial para que podamos recopilar la información necesaria, comprender mejor su caso y proceder con el llenado de los formularios obligatorios.**

**Es imprescindible que toda la información sea llenada de manera completa, precisa y veraz.**

**No omita ni proporcione información falsa, ya que esto puede perjudicar la aprobación de su proceso y acarrear implicaciones legales.**

**Por favor, complete todas las preguntas a continuación con atención.**

**1)** ¿Cuándo fue la última vez que salió de su país? (mm/dd/aaaa)
-> 26/4/2023.

**2)** Por favor, enumere todas las direcciones donde ha residido en los últimos cinco años. Para cada dirección, proporcione la siguiente información:

**Dirección completa:**
**Ciudad:**
**País:**
**Fecha de entrada (mes/año):**
**Fecha de salida (mes/año):**

Ejemplo:

**Dirección:** Calle Rafael Bandeira, 123, Apt. 307
**Ciudad:** Florianópolis
**País:** Brasil
**Fecha de entrada:** 05/2020
**Fecha de salida:** 06/2021

Observación: Si no sabe el mes exacto, proporcione la fecha más aproximada posible.

Enumere su dirección actual primero y luego siga en orden cronológico.

-> Dirección Completa: 30 alden Ave
Ciudad: Albany - NEW YORK
País: EE.UU
Fecha de entrada: 23/05/23
Fecha de Salida: 26/07/25

Dirección Completa: 78 benson st
Ciudad: Albany - NEW YORK
País: EE.UU
Fecha de entrada: 26/07/25

3) ¿Cuál fue su última dirección de residencia antes de ir a los EE. UU.?

-> Dirección completa: Comunidad La esperanza
Ciudad: Cañar
País: Ecuador

4) Por favor, enumere todas las instituciones educativas en las que ha estudiado, incluyendo la siguiente información para cada una. Necesitamos que se enumeren todas las escuelas en las que ha estudiado, desde el primer grado de la educación primaria hasta el último nivel de estudios cursado:

**Nombre de la Institución:**

**Dirección (si no sabe la dirección completa, proporcione al menos la ciudad y el país):**
***Tipo de Educación (especifique el nivel educativo - por ejemplo: educación primaria, educación secundaria, universidad, curso técnico, etc.):***
**Fecha de Entrada (indique el mes y el año en que comenzó a estudiar en la institución):**
**Fecha de Salida (indique el mes y el año en que terminó sus estudios en la institución):**

Ejemplo:

**Nombre de la Institución:** Escuela ABCDE
**Dirección:** Calle Ejemplo, 123, Ciudad Ejemplo, País Ejemplo
**Tipo de Educación:** Educación Primaria
**Fecha de Entrada:** 01/2015
**Fecha de Salida:** 01/2020

Observación: Si no sabe el mes exacto, proporcione la fecha más aproximada posible. En Brasil, los ciclos anuales generalmente siguen el calendario de enero a diciembre, lo que puede ayudar en la estimación de las fechas.
Comience por la última escuela en la que estudió y siga en orden cronológico.

-> Comunidad La Esperanza Parroquia chontamarca Cañar
País Ecuador
Educación Primaria
Nombre de la institución -> 24 de Julio
Dirección: comunidad La Esperanza
tipo de educación -> Educación Primaria
Fecha de entrada 05/2012.
Fecha de salida 02/2019

**5)** Por favor, enumere todos los empleos que ha tenido en los últimos cinco años (incluyendo los informales y en EE.UU.), proporcionando la siguiente información para cada uno:

**Nombre de la empresa/organismo** (si fue autónomo, puede poner "autónomo")
**Dirección del lugar de trabajo**
**Cargo**

**Fecha de inicio** (indique el mes y el año en que comenzó a trabajar en la empresa/organismo)
**Fecha de salida** (indique el mes y el año en que dejó la empresa/organismo)

**Ejemplo 1:**

**Nombre de la empresa/organismo:** Empresa Y
**Dirección:** Rua São João, 456, São Paulo, Brasil
**Cargo:** Cajero/a
**Fecha de inicio:** 01/2019
**Fecha de salida:** 01/2024

**Ejemplo 2:**

**Nombre de la empresa/organismo:** Autónomo/Uber
**Dirección:** oficina en casa / direcciones variadas
**Cargo:** Conductor/a
**Fecha de inicio:** 03/2022
**Fecha de salida:** 07/2022

**Observación:** Si no sabe el mes exacto, proporcione la fecha más aproximada posible.

**Importante:** Liste su empleo más reciente primero y continúe en orden cronológico inverso.

-> Conpania -> Pinacle -> Albany Nueva your
-> Cargo -> Empleado/ trabajador
-> Fecha -> inicio -> 06/2023
-> Fecha -> salida -> 08/2025

-> Contruccion Cañar Ecuador
-> Cargo -> Maestro de hobra
-> Fecha de inicio -> 01/2021
-> Fecha de salida -> 04/2023

**6)** Favor informar el nombre completo de todos los miembros de la familia (padre, madre, hermanas y hermanos), junto con la ciudad de nacimiento y la ciudad donde cada uno reside actualmente.

Observación: Si algún familiar ha fallecido, por favor indique esta información.

Ejemplo:

**Madre:**

Nombre completo: María Oliveira Silva
Ciudad de nacimiento: Campinas, SP
Ciudad actual de residencia: Río de Janeiro, RJ

**Padre:**

Nombre completo: João Silva
Ciudad de nacimiento: São Paulo, SP
Ciudad actual de residencia: Río de Janeiro, RJ

**Hermano:**

Nombre completo: Pedro Oliveira Silva
Ciudad de nacimiento: São Paulo, SP
Ciudad actual de residencia: Belo Horizonte, MG

**Hermana:**

Nombre completo: Ana Oliveira Silva
Ciudad de nacimiento: São Paulo, SP
Ciudad actual de residencia: Fallecida

->

)Madre -> Maria Manuela Loja Guaman
) Cañar Ecuador
3) Cañar Ecuador Padre) Jose Manuel LLiguishusca Loja
) hermano -> Manuel Maria LLiguishusca Loja Cañar Ecuador
) hermano -> Luis Carlos LLiguishusca Loja -> Cañar Ecuador
) hermana -> Maria Balbina LLiguishusca Loja - Cañar Ecuador
) hermana -> Ana Cristina LLiguishusca Loja - Cañar Ecuador
) hermano -> Jose Favian LLiguishusca Loja - Cañar Ecuador
) hermano -> Luis Patricio LLiguishusca Loja - Cañar Ecuador

**7)** ¿Usted o algún miembro de su familia ha sido acusado, arrestado, detenido, interrogado, condenado o sentenciado, o ha estado preso de alguna manera en un país distinto a los Estados Unidos (incluyendo por violación de la ley de inmigración)? Si responde sí, explique quién fue la persona que pasó por esto, cuál fue el crimen cometido, cuándo ocurrió, en qué país y cuáles fueron las consecuencias del acto (detención, absolución, condena, prisión, ...)

-> NO

**8)** ¿Tú o algún miembro de tu familia incluido en la solicitud ha cometido algún delito y/o ha sido arrestado, acusado o condenado por algún delito en los Estados Unidos (incluyendo violaciones a la ley de inmigración)?

NO

Nota: Si fuiste detenido en la frontera, debes responder "sí" a esta pregunta e indicar cuántos días estuviste detenido

-> NO

**9)** ¿Los oficiales de inmigración te entregaron, cuando fue detenido, una lista de abogados pro bono que podrían ayudarte con tu solicitud de asilo, de forma gratuita o a bajo costo?

-> NO

R. I. --_-2019.

Información Adicional

Hola mi nombre es luis Ernesto Lliguishusca Loja:

En esta escritora les bay a declarar mis vida por la cual no quiero regresar a mi país de horigen por que me ha ido muy feo y duro por lo cual empezo cuando mi padre nos abandono a toda la familia en el año 2019. Cuando yo tenia 13 años de edad.
Un dia Cuando salia de la escuela, me encontre con unas personas que pertenecian en ese entonses a une pandilla de los lobos Banda Negra (Sombra Negra) lo cual me encontre con tres personas y dos de ellos eran conosidos y se llama van luis Fajardo y Kevin Guasco y el otro personaje no lo logre identificar por que no le conocia y me siguieron asta un punto donde me empezaron a molestar insistiendo que me uniera a su grupo por lo cual yo me opuse y en esos momentos ellos me rodea ron y me empezaron a galpearme y a amenazarme. incistiendome pero yo me oponia mas asta que en uno de esos me quebraron la mano izquierda y al verme que estaba casi inconciente me fueron dejando despues de unos minutos me levante todo adolorido y empeze a caminar a mi casa que estaba como a 20 min. Al llegar a mi casa mi madre me miro y se asusto y me empezo a preguntar que, quien me havia galpeado y por que lo isieron, lo cual le conte todo pero no me escucho por como me encontraba en esos momentos y desedimos ir en esos momentos al centro de la ciudad de trancal a haser chequear haber si tenia alguna rotura o daños grabes.
En esos momentos al llegar a la ciudad nos encontramos con una clinica naturizta y me hise chequear el brazo y me mando a realizar una radio grafia y encontre que tenia rato algunas partes del huso de mi brazo lo cual me recomendo unos dias de reposo para que se fuera acomodando y recuperandome.

R. II 30-12-2021 Porci nesecitan mas información aquí ay

Cuando despues de un buen tiempo empezo nuevamente lo mismo y yo en ese entonces ya tenia 15 años de edad por lo cual un dia menos imajinado me llegaron mensajes del señor Luis Fajardo diciendome que el en esos momentos se encontraba en la carcel y cuando salia nos amenazo con acabar con mi familia y que iba a empezar primero con mi mama y luego con los demas y el ultimo iva a ser yo, lo cual me mando fotos de una arma, balas y drogas y en ese entonces me llene de mas panico por que no sabia cuando iva a llegar ese momento y más que nos encontrabamos ~~sin~~ desprotejidos por la ida de mi padre y no llegar a saber nada de esa persona.

lo cual mi madre y yo no sabiamos que aser por que si abisavamos a las autoridades o policias, ellos al enterarse nos ivan a atacar con mas fuerza por que era en ese entonces un grupo inumerado de personas que se unieron a ese grupo llamado "Sombra Negra" Los Lobos

Hasta que mi madre me pregunto si no queria venir al extranjero y yo no sabia que aser, y que no avia en ese entonces quien me ayudara a venir.

lo cual en ese entonces por el miedo yo no desidi ir mas a estudiar por que ellos andavan rodeando las escuelas y peres para no pasar solo en la casa me dedique a trabajar en construccion por lo cual despues de un tiempo de trabajar compre una moto con los haorros de mi trabajo. para poder ir en ello a cualquier lugar. o a mi trabajo. con precaución?

Información Adicional

R. III 5-12-22

Información Adicional

Un dia menos pensado cuando yo me encontraba de regreso a mi casa del trabajo en mi mato cuando derrepente se crusaron cuatro personas en moto y me paresse que la cabesilla que era el señor Luis Fajardo, avia salido y me encontro al pareeer me andava persiguiendo casta que me encerraron ese dia y me atacaron sin contral por lo que ellos me avian dicho y amenazado que si no me unia a ellas las cosas ivan a apeorar, lo cual ese dia me dejaron inconciente tirado en la calle y esa paso casi a los horas de la tarde a ano cheser.

En el momento todo inconciente y despojado de mis pertenencias encontre mi telefono y me encontraba en un lugar donde no tenia buen servicio lo cual me puse a buscar para poder comunicar me con algun familiar o amigo sercano, lo cual me salio el primer contacto de un amigo lo cual le marque en esos momentos y despues de la llamada el se aserco a mi persona como despues de una hora, lo cual en esos momentos espere recostado y sin poder aser ninguna seña. lo cual estube oculto y en un lugar desalado lo cual no avia ni poblacion ni habitantes que crusaran por hay en esos momentos.

Despues de ese incidente cuando fue mi tercer atraco yo desidi salir del pais por que ya corria mucho mas peligro, por lo que al no encontrar nadie quien me ayudara a venir o traerme, desidi sacar un prestamo en el banco para poder yo salir en ese año del pais. (2023. salida del pais)

# Application for Asylum and for Withholding of Removal Supplement A

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS**
**Form I-589**
OMB No. 1615-0069
Expires 09/30/2027

| A-Number *(If available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| **Applicant's Name** | **Applicant's Signature** |
| Luis Ernesto Lliguishusca Loja | |

## List All of Your Children, Regardless of Age or Marital Status

*(**NOTE:** Use this form and attach additional pages and documentation as needed, if you have more than four children)*

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☐ Male ☐ Female |
| **13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A | | | |
| **14.** Place of last entry into the U.S. | **15.** Date of last entry into the U.S. *(mm/dd/yyyy)* | **16.** I-94 Number *(If any)* | **17.** Status when last admitted *(Visa type, if any)* |
| N/A | N/A | N/A | N/A |
| **18.** What is your child's current status? | **19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | **20.** Is your child in Immigration Court proceedings? | |
| N/A | N/A | ☐ Yes ☐ No | |
| **21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes ☐ No | | | |

| 1. Alien Registration Number (A-Number) *(if any)* | 2. Passport/ID Card Number *(if any)* | 3. Marital Status *(Married, Single, Divorced, Widowed)* | 4. U.S. Social Security Number *(if any)* |
|---|---|---|---|
| N/A | N/A | N/A | N/A |
| **5.** Complete Last Name | **6.** First Name | **7.** Middle Name | **8.** Date of Birth *(mm/dd/yyyy)* |
| N/A | N/A | N/A | N/A |
| **9.** City and Country of Birth | **10.** Nationality *(Citizenship)* | **11.** Race, Ethnic, or Tribal Group | **12.** Sex |
| N/A | N/A | N/A | ☐ Male ☐ Female |
| **13.** Is this child in the U.S. ? ☐ Yes *(Complete Blocks 14 to 21.)* ☐ No *(Specify location)*: N/A | | | |
| **14.** Place of last entry into the U.S. | **15.** Date of last entry into the U.S. *(mm/dd/yyyy)* | **16.** I-94 Number *(If any)* | **17.** Status when last admitted *(Visa type, if any)* |
| N/A | N/A | N/A | N/A |
| **18.** What is your child's current status? | **19.** What is the expiration date of his/her authorized stay, if any? *(mm/dd/yyyy)* | **20.** Is your child in Immigration Court proceedings? | |
| N/A | N/A | ☐ Yes ☐ No | |
| **21.** If in the U.S., is this child to be included in this application? *(Check the appropriate box.)* ☐ Yes ☐ No | | | |

# Application for Asylum and for Withholding of Removal Supplement B

**Department of Homeland Security**
U.S. Citizenship and Immigration Services

**USCIS**
**Form I-589**
OMB No. 1615-0069
Expires 09/30/2027

## Additional Information About Your Claim to Asylum

| A-Number *(if available)* | Date |
|---|---|
| 240-159-856 | 12/04/2025 |
| Applicant's Name | Applicant's Signature |
| Luis Ernesto Lliguishusca Loja | |

**NOTE:** *Use this as a continuation page for any additional information requested. Copy and complete as needed.*

Part N/A

**Question** N/A

N/A

## Part D. Your Signature

I certify, under penalty of perjury under the laws of the United States of America, that this application and the evidence submitted with it are all true and correct. Title 18, United States Code, Section 1546(a), provides in part: Whoever knowingly makes under oath, or as permitted under penalty of perjury under Section 1746 of Title 28, United States Code, knowingly subscribes as true, any false statement with respect to a material fact in any application, affidavit, or other document required by the immigration laws or regulations prescribed thereunder, or knowingly presents any such application, affidavit, or other document containing any such false statement or which fails to contain any reasonable basis in law or fact - shall be fined in accordance with this title or imprisoned for up to 25 years. I certify that I am physically present in the United States or seeking admission at a Port of Entry when I execute this application. I authorize the release of any information from my immigration record that U.S. Citizenship and Immigration Services (USCIS) needs to determine eligibility for the benefit I am seeking.

*WARNING:* **Applicants who are in the United States unlawfully are subject to removal if their asylum or withholding claims are not granted by an asylum officer or an immigration judge. Any information provided in completing this application may be used as a basis for the institution of, or as evidence in, removal proceedings even if the application is later withdrawn. Applicants determined to have knowingly made a frivolous application for asylum will be permanently ineligible for any benefits under the Immigration and Nationality Act. You may not avoid a frivolous finding simply because someone advised you to provide false information in your asylum application. If filing with USCIS, unexcused failure to appear for an appointment to provide biometrics (such as fingerprints) and your biographical information within the time allowed may result in an asylum officer dismissing your asylum application or referring it to an immigration judge. Failure without good cause to provide DHS with biometrics or other biographical information while in removal proceedings may result in your application being found abandoned by the immigration judge. See sections 208(d)(5)(A) and 208(d)(6) of the INA and 8 CFR sections 208.10, 1208.10, 208.20, 1003.47(d) and 1208.20.**

| Print your complete name. | Write your name in your native alphabet. |
|---|---|
| Luis Ernesto Lliguishusca Loja | N/A Luis Ernesto Lliguishusca Loja |

Did your spouse, parent, or child(ren) assist you in completing this application? ☒ No ☐ Yes *(If "Yes," list the name and relationship.)*

| N/A | N/A | N/A | N/A |
|---|---|---|---|
| *(Name)* | *(Relationship)* | *(Name)* | *(Relationship)* |

Did someone other than your spouse, parent, or child(ren) prepare this application? ☐ No ☒ Yes *(If "Yes," complete Part E.)*

Asylum applicants may be represented by counsel. Have you been provided with a list of persons who may be available to assist you, at little or no cost, with your asylum claim? ☐ No ☐ Yes

Signature of Applicant *(The person in Part. A.I.)*

➡ [ Luis Ernesto Lliguishusca ]

Sign your name so it all appears within the brackets

12/04/2025

Date (mm/dd/yyyy)

## Part E. Declaration of Person Preparing Form, if Other Than Applicant, Spouse, Parent, or Child

I declare that I have prepared this application at the request of the person named in Part D, that the responses provided are based on all information of which I have knowledge, or which was provided to me by the applicant, and that the completed application was read to the applicant in his or her native language or a language he or she understands for verification before he or she signed the application in my presence. I am aware that the knowing placement of false information on the Form I-589 may also subject me to civil penalties under 8 U.S.C. 1324c and/or criminal penalties under 18 U.S.C. 1546(a).

| Signature of Preparer | Print Complete Name of Preparer |
|---|---|
| | Natalia Vieira Santanna |

| Daytime Telephone Number | Address of Preparer: Street Number and Name |
|---|---|
| ( 510 ) 9220154 | PO Box 7528 |

| Apt. Number | City | State | Zip Code |
|---|---|---|---|
| | Oakland | CA | 94601 |

| **To be completed by an attorney or accredited representative** (if any). | ☐ **Select this box if Form G-28 is attached.** | **Attorney State Bar Number** (if applicable) | **Attorney or Accredited Representative USCIS Online Account Number** (if any) |
|---|---|---|---|
| | | 337502 | 0 6 3 4 6 0 3 2 7 9 7 4 |

# Exhibit M

8:51 PM SOS

7 Luis Llt Fajardo

I already told you, watch your back if I find you

I'm gonna kill you, motherfucker

You can bet on that

'Cause you fucked with me and a lot of other people

Shit. You think you're a tough guy behind a screen, but face-to-face you're a nobody like the rest of 'em

Look... tell me... why... or... what's your problem with me?

Or... is it because of that girl?

Just watch out, asshole

When you least expect it, I'm gonna snatch you and kill you

I don't give a fuck about the police now

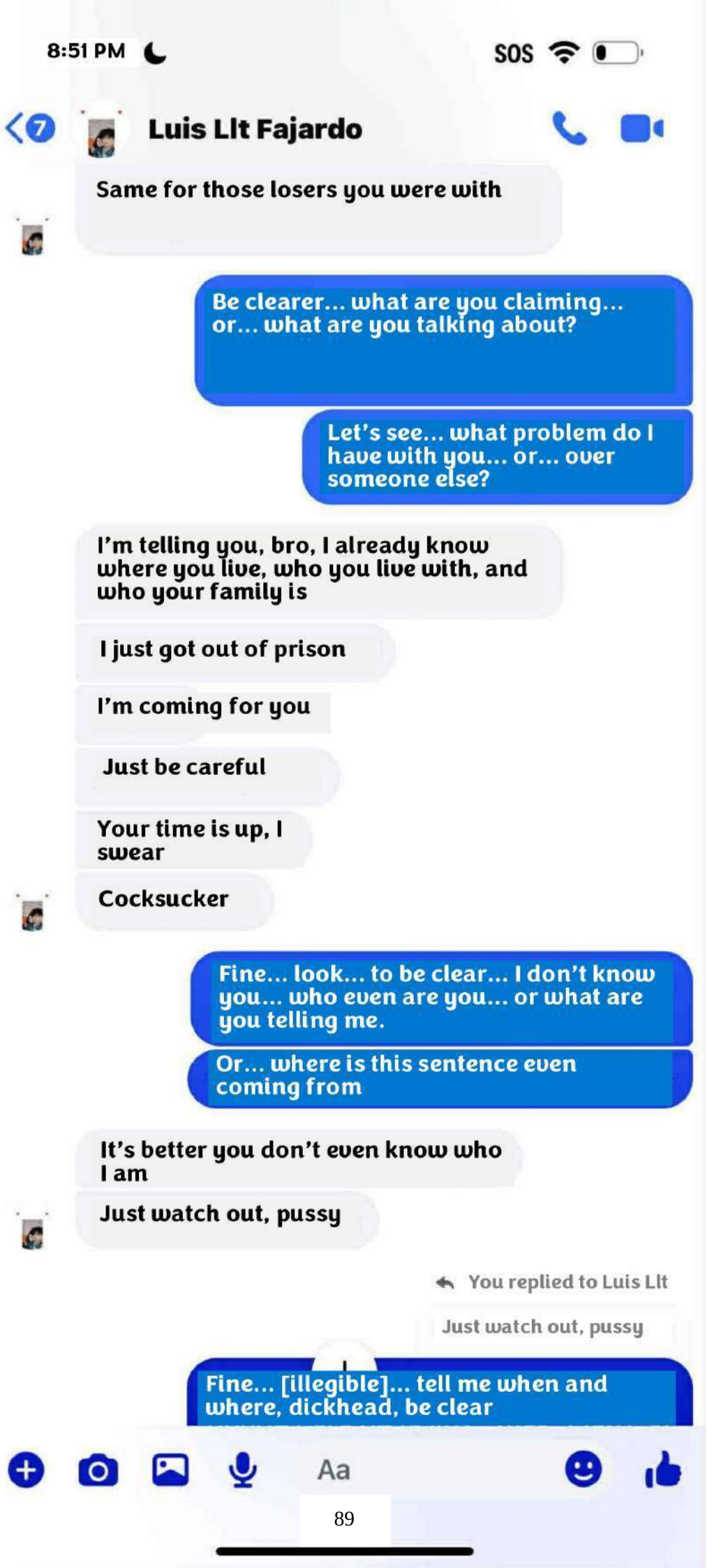
Same goes for those losers you were with

Be clearer... what are you claiming... or... what are you talking about?

Let's see... what problem do I have with you... or... over someone else?

I'm telling you, bro [illegible] where you live with [illegible]

Aa


8:51 PM
SOS
7
Luis Llt Fajardo
Same for those losers you were with
Be clearer... what are you claiming... or... what are you talking about?
Let's see... what problem do I have with you... or... over someone else?
I'm telling you, bro, I already know where you live, who you live with, and who your family is
I just got out of prison
I'm coming for you
Just be careful
Your time is up, I swear
Cocksucker
Fine... look... to be clear... I don't know you... who even are you... or what are you telling me.
Or... where is this sentence even coming from
It's better you don't even know who I am
Just watch out, pussy
You replied to Luis Llt
Just watch out, pussy
Fine... [illegible]... tell me when and where, dickhead, be clear
Aa

8:51 PM SOS

Luis Llt Fajardo

I don't give a fuck who you are

You don't worry me at all

Cocksucker, if I see you in my way I'm gonna pump you full of lead

I do know your girlfriend

Watch out for her 'cause a bullet's gonna fly

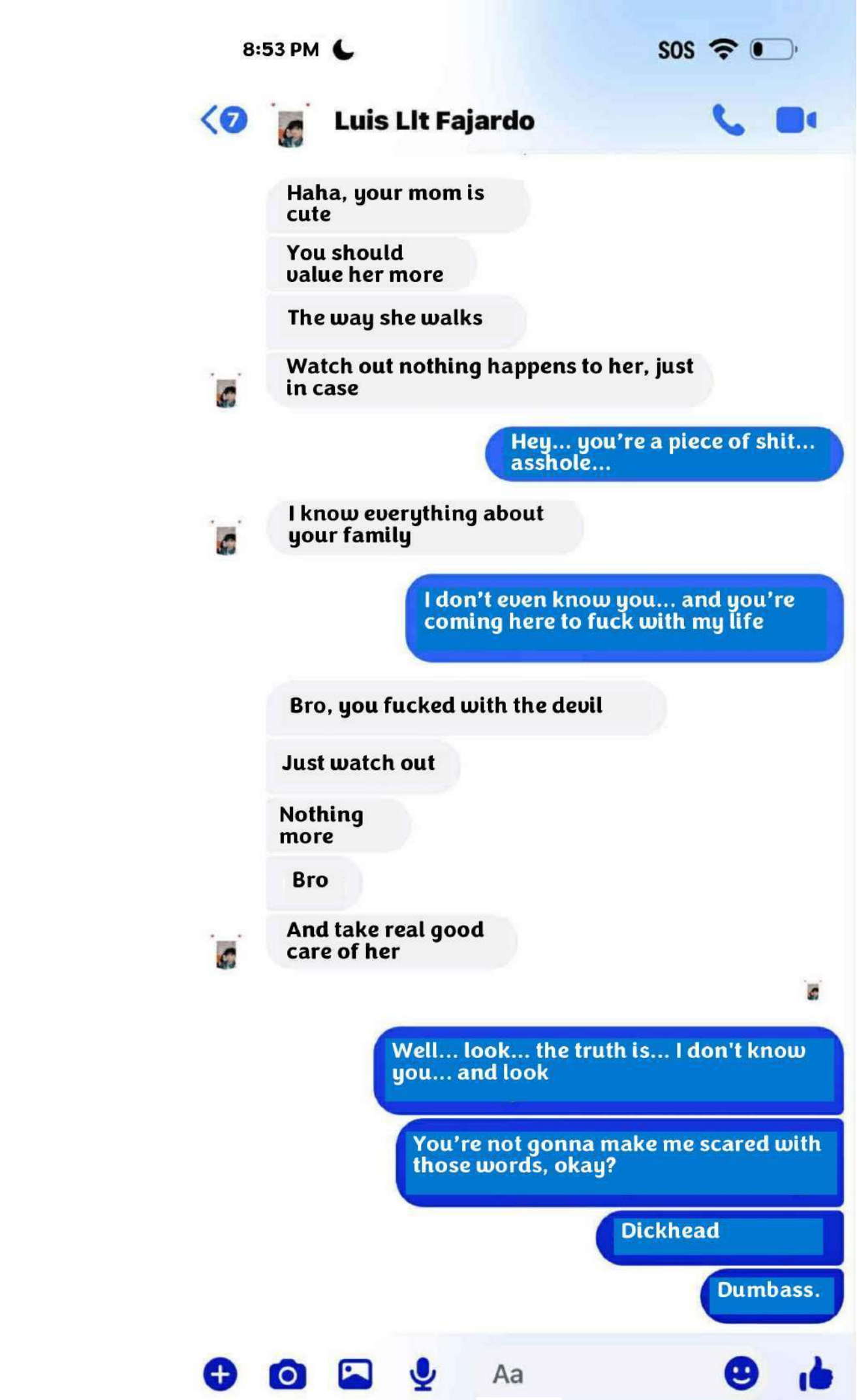
And it's gonna land right on her

Piece of shit

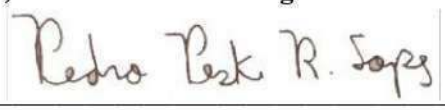
Be clear... why the fuck are you coming to fuck with my life?

Let's see... what problems do I have with you, tell me

Aa


8:53 PM
SOS
7
Luis LIt Fajardo
Haha, your mom is cute
You should value her more
The way she walks
Watch out nothing happens to her, just in case
Hey... you're a piece of shit... asshole...
I know everything about your family
I don't even know you... and you're coming here to fuck with my life
Bro, you fucked with the devil
Just watch out
Nothing more
Bro
And take real good care of her
Well... look... the truth is... I don't know you... and look
You're not gonna make me scared with those words, okay?
Dickhead
Dumbass.
Aa

**I, Pedro Peski Ribeiro Lopes, telephone number 415 425-2508, mailing address P.O. Box 90487, San Diego, CA 92169, certify that the professional translation of this document from Spanish to English has been performed by myself, a qualified translator fluent in both languages, and that the following is an accurate and complete translation of the document.**



**Date: January 22, 2026.**

8:51 SOS

7 Luis Llt Fajardo

Ya te dg cuydate si te 3n cu3ntro

Temato cabron

Eso ten x jurado

X q temetistes cn Migo y con muchos mas

Verga. Te Cres el hombre de tras de una pantalla pero de frente eres una casilla como los demas

Aver..dime..x.q..o..q.probemas..tienes..con Migo.

O ..es .x esa..chika..

Solo cuydate cabron

Rato menos te cojo i te mato

La policía me vale verga aora

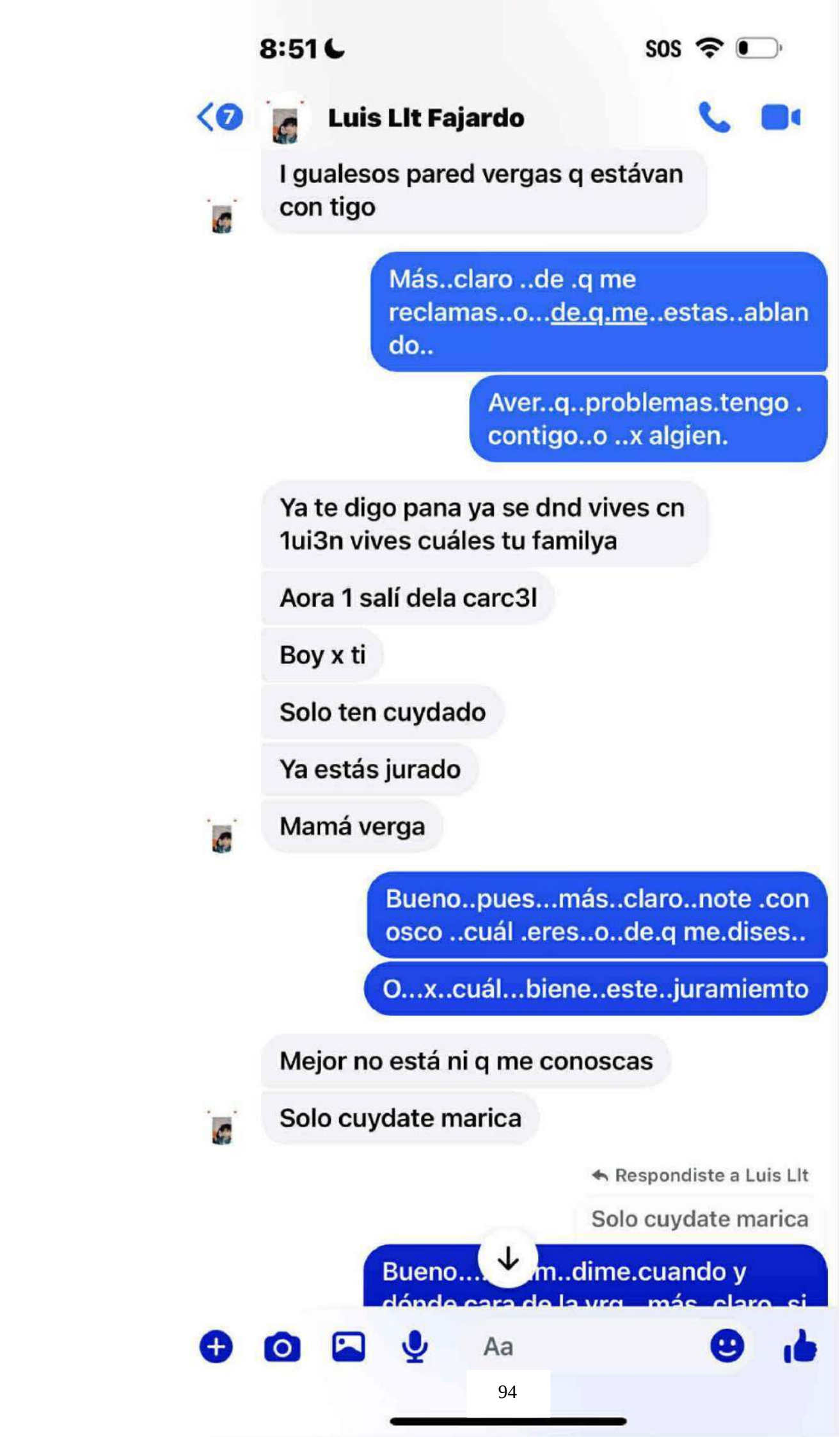
I gualesos pared vergas q estávan con tigo

Más..claro ..de .q me reclamas..o...de.q.me..estas..ablando..

Aver..q..problemas.tengo . contigo..o ..x algien.

Ya te digo pana y dnd vives cn

Aa


8:51
SOS
7
Luis Llt Fajardo
I gualesos pared vergas q estávan con tigo
Más..claro ..de .q me reclamas..o...de.q.me..estas..ablando..
Aver..q..problemas.tengo . contigo..o ..x algien.
Ya te digo pana ya se dnd vives cn 1ui3n vives cuáles tu familya
Aora 1 salí dela carc3l
Boy x ti
Solo ten cuydado
Ya estás jurado
Mamá verga
Bueno..pues...más..claro..note .con osco ..cuál .eres..o..de.q me.dises..
O...x..cuál...biene..este..juramiemto
Mejor no está ni q me conoscas
Solo cuydate marica
Respondiste a Luis Llt
Solo cuydate marica
Bueno...m..dime.cuando y
Aa

8:51 SOS

Luis LIt Fajardo

Ami me vale vrg quien seas

Me tienes sin cuydado

Mamá verga si te veo x mi camino te pego pl9masos

Yo si conosco ATu novia

Cuydale xq la cala se va aescapar

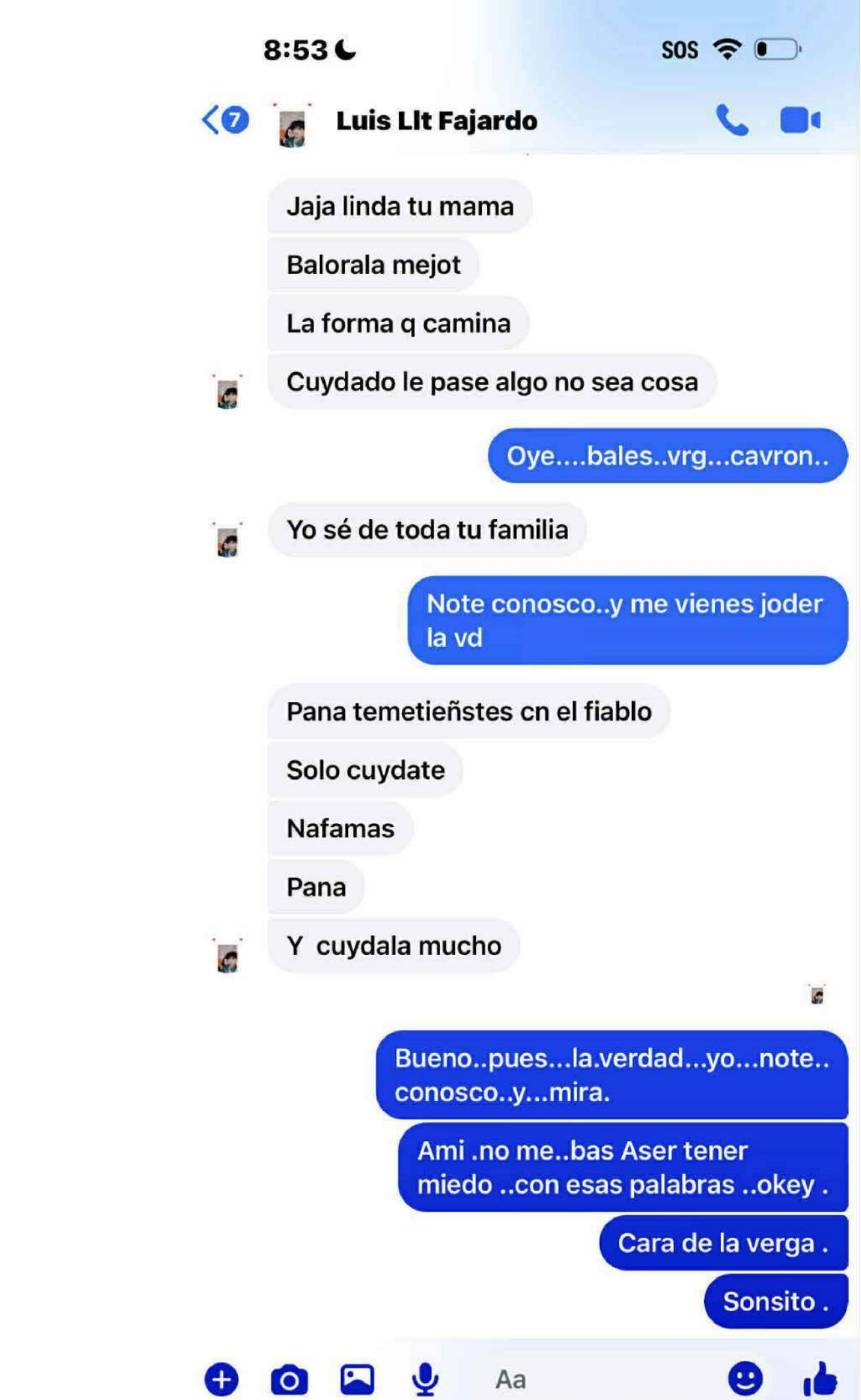
Y va a caer 3n sima de ella

Indio de averga

Más..claro...x q putos..vienen joderme.la.vd..

Aver..q ..problemas..tengo tigo dime

Aa


8:53
SOS
7
Luis LIt Fajardo
Jaja linda tu mama
Balorala mejot
La forma q camina
Cuydado le pase algo no sea cosa
Oye....bales..vrg...cavron..
Yo sé de toda tu familia
Note conosco..y me vienes joder la vd
Pana temetieñstes cn el fiablo
Solo cuydate
Nafamas
Pana
Y cuydala mucho
Bueno..pues...la.verdad...yo...note..conosco..y...mira.
Ami .no me..bas Aser tener miedo ..con esas palabras ..okey .
Cara de la verga .
Sonsito .
Aa

# Exhibit N

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**ADELANTO IMMIGRATION COURT**

Respondent Name:
LLIGUISHUSCA LOJA, LUIS ERNESTO

To:
LLIGUISHUSCA LOJA, LUIS ERNESTO
CUSTODIAL OFFICER
MESA VERDE ICE PROCESSING CENT
425 GOLDEN STATE AVE
BAKERSFIELD, CA 93301

A-Number:
240-159-856
Riders:
In Removal Proceedings
Initiated by the Department of Homeland Security
Date:
01/12/2026

## ORDER OF THE IMMIGRATION JUDGE

☑ This is a summary of the oral decision entered on 01/12/2026. The oral decision in this case is the official opinion, and the immigration court issued this summary for the convenience of the parties.
☐ Both parties waived the issuance of a formal oral decision in this proceeding.

### I. Removability

The immigration court found Respondent ☐ removable ☑ inadmissible under the following Section(s) of the Immigration and Nationality Act (INA or Act): 212(a)(6)(A)(i), 212(a)(7)(A)(i)(I)

The immigration court found Respondent ☐ not removable ☐ not inadmissible under the following Section(s) of the Act:

### II. Applications for Relief

Respondent's application for:

A. Asylum/Withholding/Convention Against Torture

☐ Asylum was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Withholding of Removal under INA § 241(b)(3) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Withholding of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Deferral of Removal under the Convention Against Torture was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Respondent knowingly filed a frivolous application for asylum after notice of the consequences. *See* INA § 208(d)(6); 8 C.F.R. §1208.20

B. Cancellation of Removal

☐ Cancellation of Removal for Lawful Permanent Residents under INA § 240A(a) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Cancellation of Removal for Nonpermanent Residents under INA § 240A(b)(1) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

☐ Special Rule Cancellation of Removal under INA § 240A(b)(2) was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

C. Waiver

☐ A waiver under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

D. Adjustment of Status

☐ Adjustment of Status under INA § was ☐ granted ☐ denied ☐ withdrawn with prejudice ☐ withdrawn without prejudice

E. Other

The Court deemed relief ABANDONED on the record at the 01/12/2026 Master Calendar Hearing.

**III. Voluntary Departure**

☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ denied.

☐ Respondent's application for ☐ pre-conclusion voluntary departure under INA § 240B(a) ☐ post-conclusion voluntary departure under INA § 240B(b) was ☐ granted, and Respondent is ordered to depart by . The respondent must post a $ bond with DHS within five business days of this order. Failure to post the bond as required or to depart by the required date will result in an alternate order of removal to taking effect immediately.

☐ The respondent is subject to the following conditions to ensure his or her timely departure from the United States:

☐ Further information regarding voluntary departure has been added to the record.

☐ Respondent was advised of the limitation on discretionary relief, the consequences for failure to depart as ordered, the bond posting requirements, and the consequences of filing a post-order motion to reopen or reconsider:

If Respondent fails to voluntarily depart within the time specified or any extensions granted by the DHS, Respondent shall be subject to a civil monetary penalty as provided by relevant statute, regulation, and policy. *See* INA § 240B(d)(1). The immigration court has set
☐ the presumptive civil monetary penalty amount of $3,000.00 USD
☐ $ USD instead of the presumptive amount.
If Respondent fails to voluntarily depart within the time specified, the alternate order of removal shall automatically take effect, and Respondent shall be ineligible, for a period of

10 years, for voluntary departure or for relief under sections 240A, 245, 248, and 249 of the Act, to include cancellation of removal, adjustment of status, registry, or change of nonimmigrant status. *Id.* If Respondent files a motion to reopen or reconsider prior to the expiration of the voluntary departure period set forth above, the grant of voluntary departure is automatically terminated; the period allowed for voluntary departure is not stayed, tolled, or extended. If the grant of voluntary departure is automatically terminated upon the filing of such a motion, the penalties for failure to depart under section 240B(d) of the Act shall not apply.

If Respondent appeals this decision, Respondent must provide to the Board of Immigration Appeals (Board), within 30 days of filing an appeal, sufficient proof of having posted the voluntary departure bond. The Board will not reinstate the voluntary departure period in its final order if Respondent does not submit timely proof to the Board that the voluntary departure bond has been posted.

In the case of conversion to a removal order where the alternate order of removal immediately takes effect, where Respondent willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

## IV. Removal

☑ Respondent was ordered removed to Ecuador

☐ In the alternative, Respondent was ordered removed to

☑ Respondent was advised of the penalties for failure to depart pursuant to the removal order:

> If Respondent is subject to a final order of removal and willfully fails or refuses (1) to depart from the United States pursuant to the immigration court's order, (2) to make timely application in good faith for travel or other documents necessary to depart the United States, (3) to present themselves at the time and place required for removal by the DHS, or (4) conspires to or takes any action designed to prevent or hamper their departure pursuant to the order of removal, Respondent shall be subject to a civil monetary penalty for each day Respondent is in violation, pursuant to INA § 274D and 8 C.F.R. § 280.53(b)(14). If Respondent is removable pursuant to INA § 237(a), then Respondent shall be further fined and/or imprisoned for up to 10 years. See INA § 243(a)(1). Further, any Respondent that has been denied admission to, removed from, or has departed the United States while an order of exclusion, deportation, or removal is outstanding and thereafter enters, attempts to enter, or is at any time found in the United States shall be fined or imprisoned not more than two years, or both. 8 U.S.C. § 1326(a).

## V. Other

☐ Proceedings were ☐ dismissed ☐ terminated with prejudice
☐ terminated without prejudice ☐ administratively closed.

☐ Respondent's status was rescinded under INA § 246.

☐ Other:

Immigration Judge: MULLINS, KATIE 01/12/2026

| | | | | | |
|---|---|---|---|---|---|
| Appeal: | Department of Homeland Security: | ☑ | waived | ☐ | reserved |
| | Respondent: | ☐ | waived | ☑ | reserved |

Appeal Due: 02/11/2026

**Certificate of Service**

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable

To: [ ] Alien | [ M ] Alien c/o custodial officer | [ ] Alien atty/rep. | [ E ] DHS

Respondent Name : LLIGUISHUSCA LOJA, LUIS ERNESTO | A-Number : 240-159-856

Riders:

Date: 01/12/2026 By: ESCOBAR, ESMERALDA, Court Staff

# Exhibit O

**U.S. DEPARTMENT OF JUSTICE**
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
*Adelanto Immigration Court*
*10250 Rancho Road, Suite 201A*
*Adelanto, California 92301*

**LLIGUISHUSCA LOJA, LUIS ERNESTO**
c/o: Custodial Officer
Mesa Verde ICE Processing Center
425 Golden State Ave.
Bakersfield, CA 93301

**Date of Notice: 1/13/2026**

A# 240-159-856

**REJECTED FILING**
**NOTICE TO DETAINED UNREPRESENTED RESPONDENT**

*On January 13, 2026, the Immigration Court received the attached documents from you. The Immigration Court is returning these documents to you. The documents are being returned to you because they were not correctly filed.*

*You can correct the mistake and return the documents to the Immigration Court. If you return the documents, you must return them promptly to the Immigration Court. You must also attach this rejection notice to the documents. In addition, you must give or mail a copy of your documents to the Department of Homeland Security, Office of the Chief Counsel. On your documents, you must state that you gave or mailed a copy to the Department of Homeland Security, Office of the Chief Counsel*

**Documents being rejected: E61 / FEE RECEIPT**

**The Immigration Court is returning your documents because:**

[☐] No Name – Your document is missing your name.

[☐] No A-Number – Your document is missing your A-Number.

[☐] Incorrect Filing Location (Case at Court) – This Immigration Court is not, at this time, the correct location to file your document. You should file your submission at: _____

[☐] Incorrect Filing Location (Case at BIA) – This Immigration Court is not, at this time, the correct location to file your document. Our records indicate that the Board of Immigration Appeals is the correct location to file your document. The address is:

**Board of Immigration Appeals, Clerk's Office**
**5107 Leesburg Pike, Suite 2000**
**Falls Church, VA 22041**

[✓] Case not Pending – The Immigration Court does not have a record of your case.

Please make sure that you have put your correct name and A-number on your documents.

If you did not put your correct name and A-number on your documents, you should correct the mistake and return the documents to the Immigration Court. Please read the instructions at the top of this notice.

If you did put your correct name and A-number on your documents, the Department of Homeland Security has not started your case with the Immigration Court. To start your case, the Department of Homeland Security must file a Notice to Appear with the Immigration Court. You cannot file documents with the Immigration Court until the Department of Homeland Security files a Notice to Appear with the Immigration Court.

[☐] Other: _____

**If you have any questions about how to file documents with the Immigration Court, you can find information in the Immigration Court Practice Manual at *www.usdoj.gov/eoir*.**

---

**CERTIFICATE OF SERVICE**

This document was served by: ☐ Mail P Personal Service ☐ Electronic Service

To: [☐] Alien [E] Alien c/o Custodial Officer [☐] Alien's Att/Rep [P] DHS

Date: 1/13/2026 Court Staff Karina Chambers

Attachments: [☐] EOIR-33 [☐] Appeal Packet [☐] Legal Services List [✓] **LETTER**

# Exhibit P

**UNITED STATES DEPARTMENT OF JUSTICE**
**EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**
**ADELANTO IMMIGRATION COURT**

Respondent Name:
LLIGUISHUSCA LOJA, LUIS ERNESTO

To:
Vieira Santanna, Natalia
PO Box 7528
OAKLAND, CA 94601

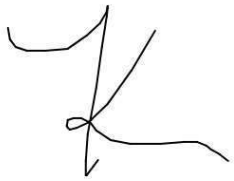
A-Number:
240-159-856
Riders:
In Removal Proceedings
Initiated by the Department of Homeland Security
Date:
02/13/2026

## ORDER OF THE IMMIGRATION JUDGE

☑ Respondent ☐ the Department of Homeland Security has filed a motion to reopen these proceedings. Upon reading and considering the motion, and any opposition from the non-moving party, the motion is ☐ granted ☑ denied for the following reason(s):

- ☐ The motion is untimely and fails to meet any exceptions. *See* 8 C.F.R. § 1003.23(b)(1),(4).
- ☐ The motion is numerically barred and fails to meet any exceptions. *See* 8 C.F.R. § 1003.23(b)(1),(4).
- ☐ The moving party failed to provide evidence demonstrating changed circumstances that is material and that was unavailable or could not have been discovered or presented at the previous proceedings. *See* 8 C.F.R. § 1003.23(b)(4)(i).
- ☐ The moving party failed to submit the appropriate application for relief and any accompanying documents. *See* 8 C.F.R. § 1003.23(b)(3).
- ☐ The Respondent has been removed or otherwise departed from the United States. *See* 8 C.F.R. § 1003.23(b)(1).
- ☑ Other:

The record indicates that on or about 02/10/2026, Respondent filed his Notice of Appeal with the Board of Immigration Appeals, thereby divesting this Court of jurisdiction to consider his Motion to Reopen filed on 01/12/2026. The Court hereby DENIES the Motion to Reopen. The Court thus deems the accompanying Motion for Fee Waiver MOOT.



Immigration Judge: MULLINS, KATIE 02/13/2026

**Certificate of Service**

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable

To: [ ] Alien | [ ] Alien c/o custodial officer | [ E ] Alien atty/rep. | [ E ] DHS

Respondent Name : LLIGUISHUSCA LOJA, LUIS ERNESTO | A-Number : 240-159-856

Riders:

Date: 02/13/2026 By: ESCOBAR, ESMERALDA, Court Staff

**Luis Ernesto Lliguishusca Loja** **File No. A 240-159-856**

## CERTIFICATE OF SERVICE

I Natalia Vieira Santanna hereby certify that on _____, 2026, I, Natalia Vieira Santanna, served a copy of this **Motion to Remand to the Immigration Judge,** along with all attached documents, to the Assistant Chief Counsel of DHS, Office of the Chief Counsel, Immigration and Customs Enforcement, through the EOIR Courts and Appeals System (ECAS), which will automatically send service notification to both parties that a new document has been filed.

_____

**Natalia Vieira Santanna, SBN#337502**
**Attorney at Law**
**P.O. Box 7528**
**Oakland, CA 94601**
**(510) 922-0154**
*Counsel for Respondent*