

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 8:43 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 7:38 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and (b)(5)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Regards

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office
Cell: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 8:15 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director

Area Port of Dallas

(b)(6), (b)(7)(C) (Port Office)

(b)(6), (b)(7)(C) (Terminal D)

(b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)

Sent: Monday, January 30, 2017 7:13 PM

To: (b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

Subject: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Regards,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office:

Cell:

(b)(6), (b)(7)(C)

From: MANNING, REGINALD I
Sent: Monday, January 30, 2017 6:38 PM
To: (b)(6), (b)(7)(C)
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

Waiver approved.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 6:30:34 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend: (b)(5)

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C) - Port Office
(b)(6), (b)(7)(C) - Terminal D
(b)(6), (b)(7)(C) - Mobile

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 4:20:14 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

PD [redacted] for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Regards,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

[redacted] **(b)(6), (b)(7)(C)**

Office: [redacted]
Cell: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 5:05 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (cell)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 4:01 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: EO Request for Exemption - (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and (b)(5)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Regards,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office:

Cell:

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 3:46 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (b)(6), (b)(7)(C) (cell)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 2:45 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (b)(6), (b)(7)(C) 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 3:45 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (minor) (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

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I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director
Area Port of Dallas

(b)(6), (b)(7)(C)	(Port Office)
	(Terminal D)
	(cell)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 2:43 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: EO Request for Exemption - (minor) (b)(6), (b)(7)(C) 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and (b)(5)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 1:38 PM
To: (b)(6), (b)(7)(C); SHOBERG, ERIK; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); DFW Airport Watch Commanders; DFW AIRPORT CHIEFS
Subject: RE: DFW Executive Order Tracking Worksheet 1/30 - 1300 hours

The cumulative totals should cover the time period from Saturday January 28, 2017 at 0800 to Monday January 30, 2017 at 1300.

The reporting period totals should cover January 29, 2017 at 2300 to Monday, January 30, 2017 at 1300/

The cumulative information that you sent is incorrect.

Thanks,

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 12:29 PM
To: SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C); DFW Airport Watch Commanders
(b)(7)(E); DFW AIRPORT CHIEFS (b)(7)(E)
Subject: DFW Executive Order Tracking Worksheet 1/30 - 1300 hours

Attached please find the DFW Area Port EO tracking worksheet for the reporting period of 1300 hours.

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
Watch Commander
Public Affaris Liaison
DFW Mentoring Coordinator
Dallas, Texas
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

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-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 1:02 PM
To: MANNING, REGINALD I
Cc: (b)(6), (b)(7)(C) SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: EO Request for Exemption - (b)(6), (b)(7)(C)
 212(f) of the INA
Importance: High

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (cell)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 11:45 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: EO Request for Exemption - (b)(6), (b)(7)(C) - 212(f) of the INA
Importance: High

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 12:21 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director
Area Port of Dallas

(b)(6), (b)(7)(C) (Port Office)
(b)(6), (b)(7)(C) (Terminal D)
(cell)

From: (b)(6), (b)(7)(C)
Sent: Monday, January 30, 2017 11:17 AM
To: (b)(6), (b)(7)(C)
Cc:
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:46 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 7:43 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Regards,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office: **(b)(6), (b)(7)(C)**

Cell: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 8:37 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C); (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption (LPR); (b)(6), (b)(7)(C) 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend: (b)(5)

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C) (Port Office)
(b)(6), (b)(7)(C) (Terminal D)
(b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 7:34 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Request for Exemption (LPR); (b)(6), (b)(7)(C) 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Regards,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office:
Cell: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 6:36 PM
To: OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: FW: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence

Field Liaison,

Close out for protests at the Austin-Bergstrom International Airport below.

(b)(6), (b)(7)(C)
Assistant Director, Field Operations (Trade)
Houston Field Office
Office of Field Operations
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:28 PM
To: (b)(6), (b)(7)(C); SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence

Houston Field Office – Area Port of Dallas – Austin-Bergstrom International Airport
Planned Protest and Media Presence Near CBP FIS
Sunday, January 29, 2017

UPDATE #2 (Final Update) – 1715 hours- The maximum size of the crowd grew to about 250 protesters. As of 1715 hours, all protesters have left the area. This will serve as a final update.

UPDATE #1 – 1445 hours- Approximately 200 people have gathered at the Austin Airport. There continues to be no impact at this point to CBP.

On Sunday, January 29, 2017, information was received from Airport Security regarding a Facebook post trying to assemble people to stage a peaceful protest against the Presidential Executive Order at 2 P.M (14:00 CT) at the Austin-Bergstrom International Airport.

Details:

- 0844 hours – Austin Airport Operations security notified PD: (b)(6), (b)(7)(C) that a Facebook posting revealed that a planned protest was to take place at the Airport due to the Presidential Executive Order.
- <https://www.facebook.com/events/760757904100266/>
- 0945 hours – PD: (b)(6), (b)(7)(C) contacted Operations Director: (b)(6), (b)(7)(C) and Security Director, (b)(6), (b)(7)(C).
 (b)(6), (b)(7)(C) (b)(7)(E)
- 1100 hours – PD: (b)(6), (b)(7)(C) contacted Global Entry Applicants that were scheduled beyond 1330 hours to either reschedule or attempt to arrive earlier for their appointments in case of unforeseen circumstances. This way, our main office door would be closed prior to the planned initiation of the protest.
- 1300 hours- A conference call was held with Airport Operations, Security, Airport Police, and TSA regarding anticipated events. Airport personnel was in contact with the organizer and a permit was being executed prior to the protest. Airport Security was going to allow the protesters to gather at passenger pick-up in an area that is at least 30 yards from the FIS exit. Airport Police was bringing in additional Officers that would be stationed in and around the baggage area. At this point, they are estimating 400 protesters including several news crews. The protest is planned between the hours of 1400 and 1700 hours. Our only European flight (BA) arrives at 1509 hours today. Expected media include KXAN, KVUE, KXXV, Fox 7, Spectrum News, and KUT.
- 1340 hours- All GE interviewees arrived early and the main office door was closed.

Conclusion:

No impact to CBP.

(b)(6), (b)(7)(C)
 Port Director
 U.S. Department of Homeland Security
 Austin, Texas
 (b)(6), (b)(7)(C) (Office)
 (b)(6), (b)(7)(C) (Fax)
 (b)(6), (b)(7)(C) (Cell)

From: MANNING, REGINALD I
Sent: Sunday, January 29, 2017 6:17 PM
To: (b)(6), (b)(7)(C)
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: Request for (LPR) Exemption for (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)

Waiver approved.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 6:14:20 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Request for (LPR) Exemption for (b)(6), (b)(7)(C)

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C) (Port Office)
(b)(6), (b)(7)(C) Terminal D)
(b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:09 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: Request for (LPR) Exemption for (b)(6), (b)(7)(C)

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Respectfully,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office

Cell:

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
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I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director
Area Port of Dallas

(b)(6), (b)(7)(C) Port Office)

(b)(6), (b)(7)(C) Terminal D)

(b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:09 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: Request for (LPR) Exemption for (b)(6), (b)(7)(C)

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

-
- **(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)**
-
-
-

Respectfully,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office: **(b)(6), (b)(7)(C)**

Cell: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:50 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption (LPR) for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (b)(6), (b)(7)(C) Mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 4:29 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C);
 (b)(6), (b)(7)(C)
Subject: Request for Exemption (LPR) for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

Respectfully,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office: **(b)(6), (b)(7)(C)**

Cell: **(b)(6), (b)(7)(C)**

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 5:48 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: (b)(6), (b)(7)(C)
 FW: Updated: Request for Exemption for (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)

Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) (Port Office)
 (b)(6), (b)(7)(C) (Terminal D)
 (b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 4:32 PM
To: (b)(6), (b)(7)(C) >
Cc: (b)(6), (b)(7)(C)
Subject: Updated: Request for Exemption for (LPR) (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

- **(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)**

Respectfully,

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Office of Field Operations
Dallas/Fort Worth International Airport

(b)(6), (b)(7)(C)

Office: **(b)(6), (b)(7)(C)**

Cell: **(b)(6), (b)(7)(C)**

Houston Field Office – Area Port of Dallas – San Antonio International Airport Planned Protest
and Possible Media Presence Outside of CBP FIS
Sunday, January 29, 2017

Update#4:

- 15:30 hours- Protest group has left the area. A tour of SAT Terminal A did not reveal any of the protestors to be on site. No more international flights until 1930 hours. Update will be provided only if protestors return.

Update #3:

- 14:00 hours – The group now numbers 15 protesters. Local media, Univision Spanish Network, arrived, filmed the event and departed about 13:30 hours. The group is very peaceful and not engaging the arriving public, but merely holding their signs. Airport Police presence continues to monitor.

Update #2

- 13:00 hours – The group has grown to 11 protesters inside the terminal and the same US flag carrying protester remains curbside. Local media is taking pictures of both. The event still remains peaceful with local SAAPD monitoring.

Update #1:

- 12:15 hours – Three protesters against the Executive Order arrived in Terminal “A” Baggage Claim with signs about 200 feet from FIS Exit (see pictures below) and another US flag carrying pro-Executive Order protester dressed in camouflage attire arrived curbside at Terminal “A. The event by both parties remains peaceful with no encounters with CBP.

(b)(6), (b)(7)(C)

Summary:

On Sunday, January 29, 2017, information was received from the Southwest Texas Fusion Center (SWTFC) notifying all San Antonio Airport stakeholders that a local group (approximately supporters) are planning a peaceful protest of the Presidential Executive Order at noon today (12:00 CT) at the airport (no terminal designated). The postings were made on Facebook by two separate individuals.

A similar unsuccessful protest was attempted last night in the baggage area of terminal B, but the 11-15 protestors were quickly dispersed by San Antonio Airport Police (SAAPD) for lack of a City permit to gather. SAT officials believe that the protest planned for Sunday will be outside the Terminal "A" FIS exit in the baggage claim area. The group still does not have an authorized permit to gather from the City and the same results are expected as the previous attempt.

Details:

- 0800 hours – SWTFC notified SAT airport stakeholders that information was received regarding two Facebook postings of a planned protest at SAT.
<https://www.facebook.com/events/1109668782489454??ti=ia>
<https://www.facebook.com/events/432285873769405??ti=ia>
- 0915 hours – SAT Chief of Operations notified CBP-SAT Port Director that the Aviation Department is concerned that today's protest may be directed at CBP and requested a spokesperson be present. He was directed to the HFO Public Affairs Liaison.
- 09:45 hours – As per the Captain of the SAAPD, "At this time, the numbers have not changed from early this morning and we are looking at approximately 16 interested in attending or actually attending. Both protests are calling for them to be peaceful. There is no information on where they plan on protesting, other than at the Airport. On the second link, they are telling them to "bring signs & loud voices."

Impact:

No impact at this time.

Conclusion:

On going

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:46 PM
To: OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: FW: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence
Attachments: IMG_1660.jpg; IMG_1656.jpg

Field Liaison,

Update to the protest at the Austin-Bergstrom Airport below. No CBP impact.

(b)(6), (b)(7)(C)
Assistant Director, Field Operations (Trade)
Houston Field Office
Office of Field Operations
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:44 PM
To: (b)(6), (b)(7)(C); SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:56 PM
To: (b)(6), (b)(7)(C); SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence

Houston Field Office – Area Port of Dallas – Austin-Bergstrom International Airport
Planned Protest and Media Presence Near CBP FIS
Sunday, January 29, 2017

UPDATE #1 – 1445 hours- Approximately 200 people have gathered at the Austin Airport. There continues to be no impact at this point to CBP.

On Sunday, January 29, 2017, information was received from Airport Security regarding a Facebook post trying to assemble people to stage a peaceful protest against the Presidential Executive Order at 2 P.M (14:00 CT) at the Austin-Bergstrom International Airport.

Details:

- 0844 hours – Austin Airport Operations security notified PD (b)(6), (b)(7)(C) that a Facebook posting revealed that a planned protest was to take place at the Airport due to the Presidential Executive Order.
- <https://www.facebook.com/events/760757904100266/>
- 0945 hours – PD (b)(6), (b)(7)(C) contacted Operations Director, (b)(6), (b)(7)(C) and Security Director, (b)(6), (b)(7)(C) requesting concurrence (b)(7)(E)
- 1100 hours – PD (b)(6), (b)(7)(C) contacted Global Entry Applicants that were scheduled beyond 1330 hours to either reschedule or attempt to arrive earlier for their appointments in case of unforeseen circumstances. This way, our main office door would be closed prior to the planned initiation of the protest.
- 1300 hours- A conference call was held with Airport Operations, Security, Airport Police, and TSA regarding anticipated events. Airport personnel was in contact with the organizer and a permit was being executed prior to the protest. Airport Security was going to allow the protesters to gather at passenger pick-up in an area that is at least 30 yards from the FIS exit. Airport Police was bringing in additional Officers that would be stationed in and around the baggage area. At this point, they are estimating 400 protesters including several news crews. The protest is planned between the hours of 1400 and 1700 hours. Our only European flight (BA) arrives at 1509 hours today. Expected media include KXAN, KVUE, KXXV, Fox 7, Spectrum News, and KUT.
- 1340 hours- All GE interviewees arrived early and the main office door was closed.

Impact:

No impact at this time.

(b)(6), (b)(7)(C)

Port Director

U.S. Department of Homeland Security

Austin, Texas

(b)(6), (b)(7)(C) (Office)

(b)(6), (b)(7)(C) (Fax)

(b)(6), (b)(7)(C) (Cell)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:32 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: (b)(6), (b)(7)(C)
 FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:21 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
 <(b)(6), (b)(7)(C)>
Subject: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: **(b)(6), (b)(7)(C)**

Cell: **(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:32 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend: (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:14 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Request for Exemption for (b)(6), (b)(7)(C) 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 3:12 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: (b)(6), (b)(7)(C)
 FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(7)(E)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:42 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

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-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 2:58 PM
To: OFO-FIELD LIAISON; (b)(6), (b)(7)(C)
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: FW: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence

Field Liaison,

See bullets below regarding a planned protest at the Austin-Bergstrom International Airport.

(b)(6), (b)(7)(C)
Assistant Director, Field Operations (Trade)
Houston Field Office
Office of Field Operations
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:56 PM
To: (b)(6), (b)(7)(C); SHOBERG, ERIK (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: SITUATIONAL AWARENESS: Austin Planned Protest and Media Presence

Houston Field Office – Area Port of Dallas – Austin-Bergstrom International Airport
Planned Protest and Media Presence Near CBP FIS
Sunday, January 29, 2017

On Sunday, January 29, 2017, information was received from Airport Security regarding a Facebook post trying to assemble people to stage a peaceful protest against the Presidential Executive Order at 2 P.M (14:00 CT) at the Austin-Bergstrom International Airport.

Details:

- 0844 hours – Austin Airport Operations security notified PD (b)(6), (b)(7)(C) that a Facebook posting revealed that a planned protest was to take place at the Airport due to the Presidential Executive Order.
- <https://www.facebook.com/events/760757904100266/>
- 0945 hours – PD (b)(6), (b)(7)(C) contacted Operations Director (b)(6), (b)(7)(C) and Security Director (b)(6), (b)(7)(C) requesting (b)(7)(E)
(b)(7)(E)

- 1100 hours – PD (b)(6), (b)(7)(C) contacted Global Entry Applicants that were scheduled beyond 1330 hours to either reschedule or attempt to arrive earlier for their appointments in case of unforeseen circumstances. This way, our main office door would be closed prior to the planned initiation of the protest.
- 1300 hours- A conference call was held with Airport Operations, Security, Airport Police, and TSA regarding anticipated events. Airport personnel was in contact with the organizer and a permit was being executed prior to the protest. Airport Security was going to allow the protesters to gather at passenger pick-up in an area that is at least 30 yards from the FIS exit. Airport Police was bringing in additional Officers that would be stationed in and around the baggage area. At this point, they are estimating 400 protesters including several news crews. The protest is planned between the hours of 1400 and 1700 hours. Our only European flight (BA) arrives at 1509 hours today. Expected media include KXAN, KVUE, KXXV, Fox 7, Spectrum News, and KUT.
- 1340 hours- All GE interviewees arrived early and the main office door was closed.

Impact:

No impact at this time.

(b)(6), (b)(7)(C)
 Port Director
 U.S. Department of Homeland Security
 Austin, Texas
 (b)(6), (b)(7)(C) (Office)
 (b)(6), (b)(7)(C) (Fax)
 (b)(6), (b)(7)(C) (Cell)

From: MANNING, REGINALD I
Sent: Sunday, January 29, 2017 2:19 PM
To: (b)(6), (b)(7)(C)
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

Waiver approved.

Reginald Manning
Director, Field Operations
U.S. Customs and Border Protection
Atlanta Field Office
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)

OFO PROUD!

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:41:30 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 12:01 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: **(b)(6), (b)(7)(C)**

Cell: **(b)(6), (b)(7)(C)**

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:43 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 11:59 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

- -
 -
- (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)**
- -

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)
 Watch Commander
 Public Affaris Liaison
 DFW Mentoring Coordinator
 Dallas, Texas
 Office: **(b)(6), (b)(7)(C)**
 Cell: **(b)(6), (b)(7)(C)**
(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 1:42 PM
To: MANNING, REGINALD I
Cc: SHOBERG, ERIK; (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning.

Please see below. This request does not require C1 approval.

I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 12:01 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Watch Commander

Public Affaris Liaison

DFW Mentoring Coordinator

Dallas, Texas

Office: (b)(6), (b)(7)(C)

Cell: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

"There are 2 kinds of people: those who do the work and those who take the credit. Try to be in the first group. There is less competition there."

-- Indira Gandhi, Third Prime Minister of India

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHAHIN HASSANPOUR and §
A Class of Similarly Situated Persons, §
 §
Petitioners, §
 §
v. §
 §
DONALD TRUMP, President of the §
United States; U.S. DEPARTMENT OF §
HOMELAND SECURITY (“DHS”); §
U.S. CUSTOMS AND BORDER §
PROTECTION (“CBP”); JOHN KELLY, §
Secretary of DHS; KEVIN K. §
MCALEENAN, Acting Commissioner of §
CBP; and CLEATUS P. HUNT, JR., §
Dallas/Ft. Worth International Airport §
Port Director, CBP, §
 §
Respondents. §

No. 3:17-cv-270

**CLASS PETITION FOR WRIT OF HABEAS CORPUS AND
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

This class habeas petition is filed by Petitioner Shahin Hassanpour and others similarly situated immigrant and nonimmigrant visa holders who are detained by Respondents at the Dallas/Ft. Worth International Airport (“DFW”) pursuant to the President’s January 27, 2017 executive order and who were coerced into withdrawing their applications for admissions. Although a federal court has enjoined Respondents from removing Petitioner and class members, Petitioner is concerned that Respondents will disregard the nationwide stay on the ground that Petitioner and class members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. This class petition is filed to safeguard Petitioner’s and class members’ constitutional and statutory rights.

Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport (“DFW”) on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States. Her United States citizen son had petitioned for her to immigrate to the United States as a permanent resident. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

On or about January 28, 2017, Ms. Hassanpour and other similarly situated immigrant and nonimmigrant visa holders landed in the United States at the DFW Airport and presented themselves for inspection and admission. U.S. Customs and Border Protection (CBP) blocked Ms. Hassanpour and class members from exiting DFW Airport even though they presented valid entry documents. CBP continues to detain Ms. Hassanpour and class members and deny them admission. CBP is holding Ms. Hassanpour and class members at DFW Airport solely pursuant to an executive order issued by President Donald Trump on January 27, 2017.

Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court

for a writ of habeas corpus to remedy their unlawful detention, and for declaratory and injunctive relief to prevent such harms from recurring.

CUSTODY

1. Ms. Hassanpour is in the physical custody of Respondent Cleatus P. Hunt, Jr., DFW International Airport Port Director, U.S. Customs and Border Protection, the Department of Homeland Security (DHS). At the time of the filing of this petition, Petitioner is detained at the DFW Airport. Ms. Hassanpour is under the direct control of Respondents and their agents.
2. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya, who are detained at DFW Airport pursuant to the January 27, 2017 executive order, and who were coerced into withdrawing their applications for admission.

JURISDICTION

3. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331, 1361, 2241, 2243, and the Habeas Corpus Suspension Clause of the U.S. Constitution. This court has further remedial authority pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*

VENUE

4. Venue lies in the United States District Court for the Northern District of Texas, the judicial district in which Respondent Cleatus P. Hunt, Jr. resides and where Petitioner is detained. 28 U.S.C. § 1391(e).
5. No petition for habeas corpus has previously been filed in any court to review Petitioner's case.

PARTIES

6. Petitioner Shahin Hassanpour is a national and citizen of Iran who was granted an immigrant visa so that she can come to the United States as a lawful permanent resident. She is

detained by Respondents pursuant to President Trump's January 27, 2017 executive order.

7. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya and who are detained at DFW Airport pursuant to the January 27, 2017 executive order and who were coerced into withdrawing their applications for admission.

8. Donald Trump is the President of the United States and is charged with enforcing the immigration laws. He is sued in his official capacity.

9. The U.S. Department of Homeland Security (“DHS”) is a cabinet department of the United States federal government with the primary mission of securing the United States.

10. U.S. Customs and Border Protection (“CBP”) is an agency within DHS with the primary mission of detecting and preventing the unlawful entry of persons and goods into the United States.

11. Respondent John Kelly is the Secretary of DHS. Secretary Kelly has immediate custody of Petitioner. He is sued in his official capacity.

12. Respondent Kevin K. McAleenan is the Acting Commissioner of CBP. Acting Commissioner McAleenan has immediate custody of Petitioner. He is sued in his official capacity.

13. Respondent Cleatus P. Hunt, Jr. is the Port Director of the Dallas/Ft. Worth International Airport. He has immediate custody of Ms. Hassanpour. He is sued in his official capacity.

STATEMENT OF FACTS

President Trump’s January 27, 2017 Executive Order

14. On January 20, 2017, Donald Trump was inaugurated as the forty-fifth President of the United States. During his campaign, he stated that he would ban Muslims from entering the United States.

15. On January 27, one week after his inauguration, President Trump signed an executive order entitled, “Protecting the Nation from Foreign Terrorist Entry into the United States,” which is attached hereto as Exhibit A and is hereinafter referred to as the “EO.”

16. In statements to the press in connection with his issuance of the EO, President Trump stated that his order would help Christian refugees to enter the United States.

17. Citing the threat of terrorism committed by foreign nationals, the EO directs a variety of changes to the manner and extent to which noncitizens may seek and obtain entry to the United States. Among other things, the EO imposes a 120-day moratorium on the refugee resettlement program as a whole; proclaims that “that the entry of nationals of Syria as refugees is detrimental to the interests of the United States”; and therefore singles out Syrian refugees for an indefinite “suspension” on their admission to the country.

18. Most relevant to the instant action is Section 3(c) of the EO, in which President Trump proclaims “that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States,” and that he is therefore “suspend[ing] entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order,” with narrow exceptions not relevant here.

19. There are seven countries that fit the criteria in 8 U.S.C. § 1187(a)(12): Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen. According to the terms of the EO, therefore, the “entry into

the United States” of noncitizens from those countries is “suspended” from 90 days from the date of the EO.

Petitioner Hassanpour

20. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who is Muslim.
21. Ms. Hassanpour has a United States citizen son who petitioned for Ms. Hassanpour to immigrate to the United States as a lawful permanent resident.
22. In September 2016, the State Department interviewed Ms. Hassanpour in connection with her application for an immigrant visa. After reviewing her application and investigating her criminal background, the State Department determined that Ms. Hassanpour qualified for an immigrant visa. In issuing Ms. Hassanpour an immigrant visa, the State Department determined that Ms. Hassanpour was not a threat to this country's national security but rather that she was worthy of residing here permanently.
23. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.
24. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.
25. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.
26. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas. Her United States citizen son was at the DFW Airport ready to meet her.
27. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

28. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently banned from the United States if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

29. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

30. Upon information and belief, Respondents intend to remove class members notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

31. Respondents' decisions to detain Ms. Hassanpour are not unlawful and are capricious and arbitrary. There is no better time for the Court to consider the merits of Ms. Hassanpour's request for release.

Class

32. Class members are immigrant and nonimmigrant visa holders currently detained by Respondents at the DFW Airport.

33. Class members are in the possession of entry documents that were lawfully issued by the State Department and/or the Department of Homeland Security.

34. Prior to issuing entry documents to class members, the State Department and/or the Department of Homeland Security interviewed and investigated class members. The State Department and/or the Department of Homeland Security determined that class members were admissible and were not a threat to the national security.

35. Upon landing at DFW Airport, Respondents detained class members pursuant to the President's January 27, 2017 executive order. Upon information and belief, Respondents denied class members an opportunity to speak with their lawyers.

36. Upon information and belief, Respondents then proceeded to coerce class members to withdraw their applications for admission.

37. Class members do not speak English fluently, are not lawyers, and are not familiar with United States laws.

38. Upon information and belief, Respondents intend to remove class members notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

39. Respondents' decisions to detain class members are not legally justifiable and are capricious and arbitrary. There is no better time for the Court to consider the merits of the class members' request for release.

CLAIMS FOR RELIEF

COUNT ONE

CONSTITUTIONAL CLAIM--DUE PROCESS

40. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

41. Petitioner's and the class members' detention violates her right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

COUNT TWO
FIRST AMENDMENT--ESTABLISHMENT CLAUSE

42. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

43. The EO exhibits hostility to a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity. The EO therefore violates the Establishment Clause of the First Amendment by not pursuing a course of neutrality with regard to different religious faiths.

COUNT THREE
FIFTH AMENDMENT--EQUAL PROTECTION

44. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

45. The EO discriminates against Petitioner and the class on the basis of their country of origin and religion, without sufficient justification, and therefore violates the equal protection component of the Due Process Clause of the Fifth Amendment.

46. Additionally, the EO was substantially motivated by animus toward—and has a disparate effect on—Muslims, which also violates the equal protection component of the Due Process Clause of the Fifth Amendment.

47. Respondents have demonstrated an intent to discriminate against Petitioner and the class members on the basis of religion through repeated public statements that make clear the EO was designed to prohibit the entry of Muslims to the United States. *See* Michael D. Shear & Helene Cooper, *Trump Bars Refugees and Citizens of 7 Muslim Countries*, N.Y. Times (Jan. 27, 2017), (“[President Trump] ordered that Christians and others from minority religions be granted priority over Muslims.”); Carol Morello, *Trump Signs Order Temporarily Halting Admission of Refugees, Promises Priority for Christians*, Wash. Post (Jan. 27, 2017).

48. Applying a general law in a fashion that discriminates on the basis of religion in this way violates Petitioner's and class members' right to equal protection under the Fifth Amendment Due Process Clause. Petitioner and the class satisfy the Supreme Court's test to determine whether a facially neutral law – in the case, the EO and federal immigration law – has been applied in a discriminatory fashion. *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266-7 (1977).

49. Here, President Donald Trump and senior staff have made clear that EO will be applied to primarily exclude individuals on the basis of their national origin and being Muslim. *See, e.g.*, Donald J. Trump, *Donald J. Trump Statement On Preventing Muslim Immigration*, (Dec. 7, 2015), <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration> (“Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on.”); Abby Phillip and Abigail Hauslohner, *Trump on the Future of Proposed Muslim Ban, Registry: ‘You know my plans’*, Wash. Post (Dec. 22, 2016). Further, the President has promised that preferential treatment will be given to Christians, unequivocally demonstrating the special preferences and discriminatory impact that the EO has upon Petitioner. *See supra*.

50. Thus, Respondents have applied the EO with forbidden animus and discriminatory intent in violation of the equal protection of the Fifth Amendment and violated Petitioner's and the class members' equal protection rights.

COUNT FOUR ADMINISTRATIVE PROCEDURE ACT

51. Petitioner alleges and incorporates by reference paragraphs 1 through 27 above.

52. Respondents detained and mistreated Petitioner and class members solely pursuant to an executive order issued on January 27, 2017, which expressly discriminates against Petitioner and

the class on the basis of her country of origin and was substantially motivated by animus toward Muslims.

53. The EO exhibits hostility to a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity.

54. The INA forbids discrimination in issuance of visas based on a person's race, nationality, place of birth, or place of residence. 8 U.S.C. § 1152(a)(1)(A).

55. Respondents' actions in detaining and mistreating Petitioner and class members were arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, in violation of APA § 706(2)(A); contrary to constitutional right, power, privilege, or immunity, in violation of APA § 706(2)(B); in excess of statutory jurisdiction, authority, or limitations, or short of statutory right, in violation of APA § 706(2)(C); and without observance of procedure required by law, in violation of § 706(2)(D).

COUNT FIVE RELIGIOUS FREEDOM RESTORATION ACT

56. Petitioner alleges and incorporates by reference paragraphs 1 through 27 above.

57. The EO will have the effect of imposing a special disability on the basis of religious views or religious status, by withdrawing an important immigration benefit principally from Muslims on account of their religion. In doing so, the EO places a substantial burden on Petitioner's and class members' exercise of religion in a way that is not the least restrictive means of furthering a compelling governmental interest.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Issue an order directing Respondents to show cause why the writ should not be

granted;

3. Issue an order certifying a class of immigrant and nonimmigrant visa holders detained at DFW Airport pursuant to the President's January 27, 2017 executive order and who were coerced into withdrawing their applications for admission and other rights;
4. Issue an injunction ordering Respondents not to detain Petitioner on the basis of the EO;
5. Issue a writ of habeas corpus ordering Respondents to release Ms. Hassanpour;
6. Award Petitioner reasonable costs and attorney's fees; and,
7. Grant any other relief which this Court deems just and proper.

Respectfully submitted,

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 Donald E. Uloth
 Texas State Bar No. 20374200

JS 44 (Rev. 08/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
SHAHIN HASSANPOUR AND OTHER SIMILARLY SITUATED
(b) County of Residence of First Listed Plaintiff
(c) Attorneys (Firm Name, Address, and Telephone Number)
Donald E. Uloth, 18208 Preston Rd. Suite D-9 # 261, Dallas, TX 75252, (214) 725-0260; Javier N. Maldonado, 8918 Tesoro Dr., Ste. 575, San Antonio, TX 78217, (210) 277-1603
DEFENDANTS
President Donald Trump, et. al.
County of Residence of First Listed Defendant
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
I U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)
Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
PTF DEF
1 1 Incorporated or Principal Place of Business In This State
2 2 Incorporated and Principal Place of Business In Another State
3 3 Foreign Nation
PTF DEF
4 4
5 5
6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)
Click here for: Nature of Suit Code Descriptions.
CONTRACT
110 Insurance
120 Marine
130 Miller Act
140 Negotiable Instrument
150 Recovery of Overpayment & Enforcement of Judgment
151 Medicare Act
152 Recovery of Defaulted Student Loans (Excludes Veterans)
153 Recovery of Overpayment of Veteran's Benefits
160 Stockholders' Suits
190 Other Contract
195 Contract Product Liability
196 Franchise
TORTS
PERSONAL INJURY
310 Airplane
315 Airplane Product Liability
320 Assault, Libel & Slander
330 Federal Employers' Liability
340 Marine
345 Marine Product Liability
350 Motor Vehicle
355 Motor Vehicle Product Liability
360 Other Personal Injury
362 Personal Injury - Medical Malpractice
PERSONAL INJURY
365 Personal Injury - Product Liability
367 Health Care/Pharmaceutical Personal Injury Product Liability
368 Asbestos Personal Injury Product Liability
PERSONAL PROPERTY
370 Other Fraud
371 Truth in Lending
380 Other Personal Property Damage
385 Property Damage Product Liability
FORFEITURE/PENALTY
625 Drug Related Seizure of Property 21 USC 881
690 Other
LABOR
710 Fair Labor Standards Act
720 Labor/Management Relations
740 Railway Labor Act
751 Family and Medical Leave Act
790 Other Labor Litigation
791 Employee Retirement Income Security Act
IMMIGRATION
462 Naturalization Application
465 Other Immigration Actions
BANKRUPTCY
422 Appeal 28 USC 158
423 Withdrawal 28 USC 157
PROPERTY RIGHTS
820 Copyrights
830 Patent
840 Trademark
SOCIAL SECURITY
861 HIA (1395ff)
862 Black Lung (923)
863 DIWC/DIWW (405(g))
864 SSID Title XVI
865 RSI (405(g))
FEDERAL TAX SUITS
870 Taxes (U.S. Plaintiff or Defendant)
871 IRS—Third Party 26 USC 7609
OTHER STATUTES
375 False Claims Act
376 Qui Tam (31 USC 3729(a))
400 State Reapportionment
410 Antitrust
430 Banks and Banking
450 Commerce
460 Deportation
470 Racketeer Influenced and Corrupt Organizations
480 Consumer Credit
490 Cable/Sat TV
850 Securities/Commodities/Exchange
890 Other Statutory Actions
891 Agricultural Acts
893 Environmental Matters
895 Freedom of Information Act
896 Arbitration
899 Administrative Procedure Act/Review or Appeal of Agency Decision
950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)
1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. Sec. 1331, 1361, 2241, and 2243.
Brief description of cause:
Visa holders detained at DFW are detained pursuant to Jan. 27, 2017 executive order.

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.
DEMAND \$
CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY
(See instructions):
JUDGE
DOCKET NUMBER

DATE
1/29/2017
SIGNATURE OF ATTORNEY OF RECORD
/s/ Javier N. Maldonado

FOR OFFICE USE ONLY
RECEIPT #
AMOUNT
APPLYING IFP
JUDGE
MAG. JUDGE

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHAHIN HASSANPOUR and §
A Class of Similarly Situated Persons, §
 §
Petitioners, §
 §
 v. §
 §
DONALD TRUMP, President of the §
United States; U.S. DEPARTMENT OF §
HOMELAND SECURITY (“DHS”); §
U.S. CUSTOMS AND BORDER §
PROTECTION (“CBP”); JOHN KELLY, §
Secretary of DHS; KEVIN K. §
MCALEENAN, Acting Commissioner of §
CBP; and CLEATUS P. HUNT, JR., §
Dallas/Ft. Worth Port Director, CBP, §
 §
Respondents. §

No. 3:17-cv-270

PETITIONER’S CERTIFICATE OF INTERESTED PERSONS

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(4)(D), and LR 81.2, Petitioner Shahin Hassanpour provides the following information:

Petitioner is a natural person.

There are no nongovernmental corporate parties in this case.

The persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case are:

1. Shahin Hassanpour, Petitioner
2. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya and who are detained at DFW Airport

pursuant to the January 27, 2017 and who were coerced into withdrawing their applications for admission.

3. Donald J. Trump, President of the United States.
4. The U.S. Department of Homeland Security.
5. U.S. Customs and Border Protection.
6. John Kelly, the Secretary of the he U.S. Department of Homeland Security.
7. Kevin K. McAleenan, the Acting Commissioner of U.S. Customs and Border Protection.
8. Cleatus P. Hunt, Jr., the Port Director of the Dallas/Ft. Worth International Airport.

Date: January 29, 2016

Respectfully submitted,

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHAHIN HASSANPOUR,	§	
	§	
Petitioner,	§	
	§	
v.	§	No. 3:17-cv-270
	§	
DONALD TRUMP, President of the	§	
United States; U.S. DEPARTMENT OF	§	
HOMELAND SECURITY (“DHS”);	§	
U.S. CUSTOMS AND BORDER	§	
PROTECTION (“CBP”); JOHN KELLY,	§	
Secretary of DHS; KEVIN K.	§	
MCALEENAN, Acting Commissioner of	§	
CBP; and CLEATUS P. HUNT, JR.,	§	
Dallas/Ft. Worth International Airport	§	
Port Director, CBP,	§	
	§	
Respondents.	§	

**PETITIONER’S EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION;
DEPORTATION FLIGHT SCHEDULED FOR 11:00AM TODAY**

Petitioner, by and through counsel, submits this **Emergency Motion for a Temporary Restraining Order and Preliminary Injunction**, pursuant to Federal Rule of Civil Procedure 65(a) and (b). Petitioner tried to file a habeas petition last night, but the ECF site was down. She was able to file a habeas petition at 7:20 this morning. She and others similarly situated immigrant and nonimmigrant visa holders who are detained by Respondents at the Dallas/Ft. Worth International Airport (“DFW”) pursuant to the President’s January 27, 2017 executive order were coerced into withdrawing their applications for admissions. Although a federal court has enjoined Respondents from removing Petitioner and class members, Petitioner is concerned that Respondents will disregard the nationwide stay on the ground that Petitioner and class

members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. Upon information and belief, Petitioner is scheduled to be deported on a flight at 11AM this morning. **She seeks an emergency stay of removal.**

In support of their motion, Petitioner and others similarly situated would show the following:

1. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport (“DFW”) on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States with her United States citizen son, who petitioned for her visa. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

2. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.

3. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.

4. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.

5. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas or her United States citizen son was at the DFW Airport.

6. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

7. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently

banned from the United States and sent to jail if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

8. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

9. Upon information and belief, Respondents intend to remove her and others and other similarly situated immigrant and nonimmigrant visa holders from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya landed in the United States at the DFW Airport and presented themselves for inspection and admission, notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

10. Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. *See* Petitioner's Habeas Petition, ¶¶ 40 – 57. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving

noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court for a stay of removal.

11. As indicated by the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, Petitioner has a strong likelihood of success in establishing that the removal of Petitioner and others similarly situated violates their rights to Due Process and Equal Protection guaranteed by the U.S. Constitution.

12. As indicated by the nationwide stay, there is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to Petitioner and others similarly situated.

13. As indicated by the nationwide stay, the issuance of the stay of removal will not injure the other parties interested in the proceeding.

14. A preliminary injunction is appropriate if the potential harm to the plaintiff outweighs the cost of the injunction, and the injunction “does not disserve the public interest.” *Jackson Women’s Health Org. Ctr.*, 760 F.3d 448, 452 (5th Cir. 2014). In this case, the potential harm to the Petitioner is clearly outweighed by any harm to the defendants.

Conclusion

15. Petitioner and others similarly situated face imminent removal in a few hours. The United States District Court in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480, has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members

Therefore, , the Court should grant her Motion for a Temporary Preliminary Injunction.

Emergency Hearing

16. Petitioner considers that the facts and law in this matter permit resolution of the Petition without an evidentiary hearing. In the alternative, Petitioner asks for an emergency hearing this morning to have her arguments heard.

Prayer

WHEREFORE, premises considered, Petitioner respectfully ask this court to GRANT her **Motion for a Temporary Preliminary Injunction** and to issue a preliminary injunction ordering Defendants to:

1. Stay her removal which would be contrary to law;
2. Grant any other and further relief that this Court may deem fit and proper.

Petitioner further requests that they be awarded reasonable attorney's fees and costs associated with the litigation of this motion.

Respectfully submitted,

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By: /s/ Vinesh Patel
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By: /s/ Donald E. Uloth
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAHIN HASSANPOUR, §
Petitioner, §
v. § No. 3:17-cv-270
DONALD TRUMP, President of the §
United States; U.S. DEPARTMENT OF §
HOMELAND SECURITY ("DHS"); §
U.S. CUSTOMS AND BORDER §
PROTECTION ("CBP"); JOHN KELLY, §
Secretary of DHS; KEVIN K. §
MCALEENAN, Acting Commissioner of §
CBP; and CLEATUS P. HUNT, JR., §
Dallas/Ft. Worth International Airport §
Port Director, CBP, §
Respondents. §

ORDER

Pending before the Court is Petitioner's Motion for Temporary Restraining Order and Preliminary Injunction to stay the removal of Petitioner and persons similarly situated who are detained at DFW International Airport pursuant to the President's January 27, 2017.

On January 28, 2017, the United States District Court for the Eastern District of New York issued a nationwide stay in Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al., Case No. 17 Civ. 480, that appears to apply to Petitioner and class members detained in the DFW Airport. That Court has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members subject to the January 27, 2017, and that issuance of the stay will not injure the parties.

Out of an abundance of caution, the Court will stay Petitioner's and class members'

removal in this case pending completion of the proceedings in the Eastern District of New York.

WHEREFORE, IT IS HEREBY ORDERED that the Respondents, their officers, agents, servants, employees, attorneys and all persons acting in concert or participation with them will comply with the nationwide stay issued in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Northern District of Texas, and further directs the United States Marshals Services to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

So ordered this ____ day of January, 2017.

UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHAHIN HASSANPOUR and §
A Class of Similarly Situated Persons, §

Petitioners, §

v. §

No. 3:17-cv-270

DONALD TRUMP, President of the §
United States; U.S. DEPARTMENT OF §
HOMELAND SECURITY (“DHS”); §
U.S. CUSTOMS AND BORDER §
PROTECTION (“CBP”); JOHN KELLY, §
Secretary of DHS; KEVIN K. §
MCALEENAN, Acting Commissioner of §
CBP; and CLEATUS P. HUNT, JR., §
Dallas/Ft. Worth International Airport §
Port Director, CBP, §

Respondents. §

**CLASS PETITION FOR WRIT OF HABEAS CORPUS AND
COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF**

This class habeas petition is filed by Petitioner Shahin Hassanpour and others similarly situated immigrant and nonimmigrant visa holders who are detained by Respondents at the Dallas/Ft. Worth International Airport (“DFW”) pursuant to the President’s January 27, 2017 executive order and who were coerced into withdrawing their applications for admissions. Although a federal court has enjoined Respondents from removing Petitioner and class members, Petitioner is concerned that Respondents will disregard the nationwide stay on the ground that Petitioner and class members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. This class petition is filed to safeguard Petitioner’s and class members’ constitutional and statutory rights.

Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport (“DFW”) on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States. Her United States citizen son had petitioned for her to immigrate to the United States as a permanent resident. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

On or about January 28, 2017, Ms. Hassanpour and other similarly situated immigrant and nonimmigrant visa holders landed in the United States at the DFW Airport and presented themselves for inspection and admission. U.S. Customs and Border Protection (CBP) blocked Ms. Hassanpour and class members from exiting DFW Airport even though they presented valid entry documents. CBP continues to detain Ms. Hassanpour and class members and deny them admission. CBP is holding Ms. Hassanpour and class members at DFW Airport solely pursuant to an executive order issued by President Donald Trump on January 27, 2017.

Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court

for a writ of habeas corpus to remedy their unlawful detention, and for declaratory and injunctive relief to prevent such harms from recurring.

CUSTODY

1. Ms. Hassanpour is in the physical custody of Respondent Cleatus P. Hunt, Jr., DFW International Airport Port Director, U.S. Customs and Border Protection, the Department of Homeland Security (DHS). At the time of the filing of this petition, Petitioner is detained at the DFW Airport. Ms. Hassanpour is under the direct control of Respondents and their agents.
2. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya, who are detained at DFW Airport pursuant to the January 27, 2017 executive order, and who were coerced into withdrawing their applications for admission.

JURISDICTION

3. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331, 1361, 2241, 2243, and the Habeas Corpus Suspension Clause of the U.S. Constitution. This court has further remedial authority pursuant to the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*

VENUE

4. Venue lies in the United States District Court for the Northern District of Texas, the judicial district in which Respondent Cleatus P. Hunt, Jr. resides and where Petitioner is detained. 28 U.S.C. § 1391(e).
5. No petition for habeas corpus has previously been filed in any court to review Petitioner's case.

PARTIES

6. Petitioner Shahin Hassanpour is a national and citizen of Iran who was granted an immigrant visa so that she can come to the United States as a lawful permanent resident. She is

detained by Respondents pursuant to President Trump's January 27, 2017 executive order.

7. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya and who are detained at DFW Airport pursuant to the January 27, 2017 executive order and who were coerced into withdrawing their applications for admission.

8. Donald Trump is the President of the United States and is charged with enforcing the immigration laws. He is sued in his official capacity.

9. The U.S. Department of Homeland Security (“DHS”) is a cabinet department of the United States federal government with the primary mission of securing the United States.

10. U.S. Customs and Border Protection (“CBP”) is an agency within DHS with the primary mission of detecting and preventing the unlawful entry of persons and goods into the United States.

11. Respondent John Kelly is the Secretary of DHS. Secretary Kelly has immediate custody of Petitioner. He is sued in his official capacity.

12. Respondent Kevin K. McAleenan is the Acting Commissioner of CBP. Acting Commissioner McAleenan has immediate custody of Petitioner. He is sued in his official capacity.

13. Respondent Cleatus P. Hunt, Jr. is the Port Director of the Dallas/Ft. Worth International Airport. He has immediate custody of Ms. Hassanpour. He is sued in his official capacity.

STATEMENT OF FACTS

President Trump’s January 27, 2017 Executive Order

14. On January 20, 2017, Donald Trump was inaugurated as the forty-fifth President of the United States. During his campaign, he stated that he would ban Muslims from entering the United States.

15. On January 27, one week after his inauguration, President Trump signed an executive order entitled, “Protecting the Nation from Foreign Terrorist Entry into the United States,” which is attached hereto as Exhibit A and is hereinafter referred to as the “EO.”

16. In statements to the press in connection with his issuance of the EO, President Trump stated that his order would help Christian refugees to enter the United States.

17. Citing the threat of terrorism committed by foreign nationals, the EO directs a variety of changes to the manner and extent to which noncitizens may seek and obtain entry to the United States. Among other things, the EO imposes a 120-day moratorium on the refugee resettlement program as a whole; proclaims that “that the entry of nationals of Syria as refugees is detrimental to the interests of the United States”; and therefore singles out Syrian refugees for an indefinite “suspension” on their admission to the country.

18. Most relevant to the instant action is Section 3(c) of the EO, in which President Trump proclaims “that the immigrant and nonimmigrant entry into the United States of aliens from countries referred to in section 217(a)(12) of the INA, 8 U.S.C. 1187(a)(12), would be detrimental to the interests of the United States,” and that he is therefore “suspend[ing] entry into the United States, as immigrants and nonimmigrants, of such persons for 90 days from the date of this order,” with narrow exceptions not relevant here.

19. There are seven countries that fit the criteria in 8 U.S.C. § 1187(a)(12): Iraq, Iran, Libya, Somalia, Sudan, Syria, and Yemen. According to the terms of the EO, therefore, the “entry into

the United States” of noncitizens from those countries is “suspended” from 90 days from the date of the EO.

Petitioner Hassanpour

20. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who is Muslim.
21. Ms. Hassanpour has a United States citizen son who petitioned for Ms. Hassanpour to immigrate to the United States as a lawful permanent resident.
22. In September 2016, the State Department interviewed Ms. Hassanpour in connection with her application for an immigrant visa. After reviewing her application and investigating her criminal background, the State Department determined that Ms. Hassanpour qualified for an immigrant visa. In issuing Ms. Hassanpour an immigrant visa, the State Department determined that Ms. Hassanpour was not a threat to this country's national security but rather that she was worthy of residing here permanently.
23. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.
24. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.
25. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.
26. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas. Her United States citizen son was at the DFW Airport ready to meet her.
27. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

28. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently banned from the United States if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

29. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

30. Upon information and belief, Respondents intend to remove class members notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

31. Respondents' decisions to detain Ms. Hassanpour are not unlawful and are capricious and arbitrary. There is no better time for the Court to consider the merits of Ms. Hassanpour's request for release.

Class

32. Class members are immigrant and nonimmigrant visa holders currently detained by Respondents at the DFW Airport.

33. Class members are in the possession of entry documents that were lawfully issued by the State Department and/or the Department of Homeland Security.

34. Prior to issuing entry documents to class members, the State Department and/or the Department of Homeland Security interviewed and investigated class members. The State Department and/or the Department of Homeland Security determined that class members were admissible and were not a threat to the national security.

35. Upon landing at DFW Airport, Respondents detained class members pursuant to the President's January 27, 2017 executive order. Upon information and belief, Respondents denied class members an opportunity to speak with their lawyers.

36. Upon information and belief, Respondents then proceeded to coerce class members to withdraw their applications for admission.

37. Class members do not speak English fluently, are not lawyers, and are not familiar with United States laws.

38. Upon information and belief, Respondents intend to remove class members notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

39. Respondents' decisions to detain class members are not legally justifiable and are capricious and arbitrary. There is no better time for the Court to consider the merits of the class members' request for release.

CLAIMS FOR RELIEF

COUNT ONE

CONSTITUTIONAL CLAIM--DUE PROCESS

40. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

41. Petitioner's and the class members' detention violates her right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

COUNT TWO
FIRST AMENDMENT--ESTABLISHMENT CLAUSE

42. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

43. The EO exhibits hostility to a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity. The EO therefore violates the Establishment Clause of the First Amendment by not pursuing a course of neutrality with regard to different religious faiths.

COUNT THREE
FIFTH AMENDMENT--EQUAL PROTECTION

44. Petitioner alleges and incorporates by reference paragraphs 1 through 39 above.

45. The EO discriminates against Petitioner and the class on the basis of their country of origin and religion, without sufficient justification, and therefore violates the equal protection component of the Due Process Clause of the Fifth Amendment.

46. Additionally, the EO was substantially motivated by animus toward—and has a disparate effect on—Muslims, which also violates the equal protection component of the Due Process Clause of the Fifth Amendment.

47. Respondents have demonstrated an intent to discriminate against Petitioner and the class members on the basis of religion through repeated public statements that make clear the EO was designed to prohibit the entry of Muslims to the United States. *See* Michael D. Shear & Helene Cooper, *Trump Bars Refugees and Citizens of 7 Muslim Countries*, N.Y. Times (Jan. 27, 2017), (“[President Trump] ordered that Christians and others from minority religions be granted priority over Muslims.”); Carol Morello, *Trump Signs Order Temporarily Halting Admission of Refugees, Promises Priority for Christians*, Wash. Post (Jan. 27, 2017).

48. Applying a general law in a fashion that discriminates on the basis of religion in this way violates Petitioner's and class members' right to equal protection under the Fifth Amendment Due Process Clause. Petitioner and the class satisfy the Supreme Court's test to determine whether a facially neutral law – in the case, the EO and federal immigration law – has been applied in a discriminatory fashion. *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 266-7 (1977).

49. Here, President Donald Trump and senior staff have made clear that EO will be applied to primarily exclude individuals on the basis of their national origin and being Muslim. *See, e.g.*, Donald J. Trump, *Donald J. Trump Statement On Preventing Muslim Immigration*, (Dec. 7, 2015), <https://www.donaldjtrump.com/press-releases/donald-j.-trump-statement-on-preventing-muslim-immigration> (“Donald J. Trump is calling for a total and complete shutdown of Muslims entering the United States until our country's representatives can figure out what is going on.”); Abby Phillip and Abigail Hauslohner, *Trump on the Future of Proposed Muslim Ban, Registry: ‘You know my plans’*, Wash. Post (Dec. 22, 2016). Further, the President has promised that preferential treatment will be given to Christians, unequivocally demonstrating the special preferences and discriminatory impact that the EO has upon Petitioner. *See supra*.

50. Thus, Respondents have applied the EO with forbidden animus and discriminatory intent in violation of the equal protection of the Fifth Amendment and violated Petitioner's and the class members' equal protection rights.

COUNT FOUR ADMINISTRATIVE PROCEDURE ACT

51. Petitioner alleges and incorporates by reference paragraphs 1 through 27 above.

52. Respondents detained and mistreated Petitioner and class members solely pursuant to an executive order issued on January 27, 2017, which expressly discriminates against Petitioner and

the class on the basis of her country of origin and was substantially motivated by animus toward Muslims.

53. The EO exhibits hostility to a specific religious faith, Islam, and gives preference to other religious faiths, principally Christianity.

54. The INA forbids discrimination in issuance of visas based on a person's race, nationality, place of birth, or place of residence. 8 U.S.C. § 1152(a)(1)(A).

55. Respondents' actions in detaining and mistreating Petitioner and class members were arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, in violation of APA § 706(2)(A); contrary to constitutional right, power, privilege, or immunity, in violation of APA § 706(2)(B); in excess of statutory jurisdiction, authority, or limitations, or short of statutory right, in violation of APA § 706(2)(C); and without observance of procedure required by law, in violation of § 706(2)(D).

COUNT FIVE RELIGIOUS FREEDOM RESTORATION ACT

56. Petitioner alleges and incorporates by reference paragraphs 1 through 27 above.

57. The EO will have the effect of imposing a special disability on the basis of religious views or religious status, by withdrawing an important immigration benefit principally from Muslims on account of their religion. In doing so, the EO places a substantial burden on Petitioner's and class members' exercise of religion in a way that is not the least restrictive means of furthering a compelling governmental interest.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Issue an order directing Respondents to show cause why the writ should not be

granted;

3. Issue an order certifying a class of immigrant and nonimmigrant visa holders detained at DFW Airport pursuant to the President's January 27, 2017 executive order and who were coerced into withdrawing their applications for admission and other rights;
4. Issue an injunction ordering Respondents not to detain Petitioner on the basis of the EO;
5. Issue a writ of habeas corpus ordering Respondents to release Ms. Hassanpour;
6. Award Petitioner reasonable costs and attorney's fees; and,
7. Grant any other relief which this Court deems just and proper.

Respectfully submitted,

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By: /s/ Seja R. Zota
 Sejal R. Zota
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By: /s/ Donald E. Uloth
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 Texas State Bar No. 20374200

JS 44 (Rev. 08/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

SHAHIN HASSANPOUR AND OTHER SIMILARLY SITUATED

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Donald E. Uloth, 18208 Preston Rd. Suite D-9 # 261, Dallas, TX 75252, (214) 725-0260; Javier N. Maldonado, 8918 Tesoro Dr., Ste. 575, San Antonio, TX 78217, (210) 277-1603

DEFENDANTS

President Donald Trump, et. al.

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Real Estate, Personal Injury, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from Another District (specify)
6 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. Sec. 1331, 1361, 2241, and 2243.

Brief description of cause: Visa holders detained at DFW are detained pursuant to Jan. 27, 2017 executive order.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 1/29/2017 SIGNATURE OF ATTORNEY OF RECORD /s/ Javier N. Maldonado

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

SHAHIN HASSANPOUR and §
A Class of Similarly Situated Persons, §
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 §
Respondents. §

No. 3:17-cv-270

PETITIONER’S CERTIFICATE OF INTERESTED PERSONS

Pursuant to Fed. R. Civ. P. 7.1 and LR 3.1(c), LR 3.2(e), LR 7.4, LR 81.1(a)(4)(D), and LR 81.2, Petitioner Shahin Hassanpour provides the following information:

Petitioner is a natural person.

There are no nongovernmental corporate parties in this case.

The persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case are:

1. Shahin Hassanpour, Petitioner
2. Class members are immigrant and nonimmigrant holders who are from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya and who are detained at DFW Airport

pursuant to the January 27, 2017 and who were coerced into withdrawing their applications for admission.

3. Donald J. Trump, President of the United States.
4. The U.S. Department of Homeland Security.
5. U.S. Customs and Border Protection.
6. John Kelly, the Secretary of the he U.S. Department of Homeland Security.
7. Kevin K. McAleenan, the Acting Commissioner of U.S. Customs and Border Protection.
8. Cleatus P. Hunt, Jr., the Port Director of the Dallas/Ft. Worth International Airport.

Date: January 29, 2016

Respectfully submitted,

/s/ Javier N. Maldonado
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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAHIN HASSANPOUR,	§	
	§	
Petitioner,	§	
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v.	§	No. 3:17-cv-270
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United States; U.S. DEPARTMENT OF	§	
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CBP; and CLEATUS P. HUNT, JR.,	§	
Dallas/Ft. Worth International Airport	§	
Port Director, CBP,	§	
	§	
Respondents.	§	

**PETITIONER’S EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION;
DEPORTATION FLIGHT SCHEDULED FOR 11:00AM TODAY**

Petitioner, by and through counsel, submits this **Emergency Motion for a Temporary Restraining Order and Preliminary Injunction**, pursuant to Federal Rule of Civil Procedure 65(a) and (b). Petitioner tried to file a habeas petition last night, but the ECF site was down. She was able to file a habeas petition at 7:20 this morning. She and others similarly situated immigrant and nonimmigrant visa holders who are detained by Respondents at the Dallas/Ft. Worth International Airport (“DFW”) pursuant to the President’s January 27, 2017 executive order were coerced into withdrawing their applications for admissions. Although a federal court has enjoined Respondents from removing Petitioner and class members, Petitioner is concerned that Respondents will disregard the nationwide stay on the ground that Petitioner and class

members involuntarily withdrew their applications for admission and waived their statutory and constitutional rights. Upon information and belief, Petitioner is scheduled to be deported on a flight at 11AM this morning. **She seeks an emergency stay of removal.**

In support of their motion, Petitioner and others similarly situated would show the following:

1. Petitioner Shahin Hassanpour is a 70 year-old Iranian national who landed in the Dallas/Ft. Worth International Airport (“DFW”) on or about January 28, 2017. In September 2016, the United States Department of State (DOS) approved Ms. Hassanpour's application for an immigrant visa to come and live in the United States with her United States citizen son, who petitioned for her visa. Prior to the issuance of her visa, the DOS reviewed Ms. Hassanpour's criminal and immigration background and found her eligible for an immigrant visa.

2. On or about January 27, 2017, Ms. Hassanpour departed from Esfahan on Emirates Airlines.

3. On or about January 28, 2017, Ms. Hassanpour landed at DFW Airport.

4. Pursuant to the January 27, 2017 executive order, Respondents are not allowing Ms. Hassanpour to exit DFW Airport.

5. Respondents are not permitting Ms. Hassanpour to meet with her attorneys who are in Dallas or her United States citizen son was at the DFW Airport.

6. Ms. Hassanpour is an elderly woman who must take cancer and heart medication on a regular basis. The long flight, the stress of detention, and the lack of her medication present unnecessary health risks to Ms. Hassanpour.

7. Upon information and belief, Respondents coerced Ms. Hassanpour to withdraw her application for admission. Respondents told Ms. Hassanpour that she would be permanently

banned from the United States and sent to jail if she did not sign the form withdrawing her admission. Respondents did not translate or interpret the waiver form. Ms. Hassanpour, however, does not speak English, has no knowledge of United States laws, and was denied the opportunity to communicate with her attorneys.

8. Ms. Hassanpour has valid documents to enter the United States. She was previously interviewed and investigated by the State Department. The State Department and the U.S. Citizenship and Immigration Services previously determined that Ms. Hassanpour was not a national security risk. Respondents are detaining Ms. Hassanpour solely because of her national origin and her religion as required by the January 27, 2017 executive order.

9. Upon information and belief, Respondents intend to remove her and others and other similarly situated immigrant and nonimmigrant visa holders from Iran, Iraq, Syria, Yemen, Somalia, Sudan or Libya landed in the United States at the DFW Airport and presented themselves for inspection and admission, notwithstanding the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, relying upon the illegal waivers obtained from class members.

10. Because the executive order is unlawful as applied to Ms. Hassanpour and class members, their continued detention and the denial of admission based solely on the executive order violates their Fifth Amendment procedural and substantive due process, violates the First Amendment Establishment Clause, is ultra vires under the immigration statutes, and violates the Administrative Procedure Act and Religious Freedom Restoration Act. *See* Petitioner's Habeas Petition, ¶¶ 40 – 57. Further, Ms. Hassanpour's and class members continued unlawful detention is part of a widespread policy, pattern and practice applied to many refugees and arriving

noncitizens detained after the issuance of the January 27, 2017 executive order. Therefore, on behalf of herself and a class of similarly situated immigrant and nonimmigrant holders, Ms. Hassanpour respectfully applies to this Court for a stay of removal.

11. As indicated by the nationwide stay issued in *Darweesh and Alshawi v. Trump et. al.*, Cause No. 17 Civ. 480 (AMD) in the U.S. District Court for the Eastern District of New York on January 28, 2017, Petitioner has a strong likelihood of success in establishing that the removal of Petitioner and others similarly situated violates their rights to Due Process and Equal Protection guaranteed by the U.S. Constitution.

12. As indicated by the nationwide stay, there is imminent danger that, absent the stay of removal, there will be substantial and irreparable injury to Petitioner and others similarly situated.

13. As indicated by the nationwide stay, the issuance of the stay of removal will not injure the other parties interested in the proceeding.

14. A preliminary injunction is appropriate if the potential harm to the plaintiff outweighs the cost of the injunction, and the injunction “does not disserve the public interest.” *Jackson Women’s Health Org. Ctr.*, 760 F.3d 448, 452 (5th Cir. 2014). In this case, the potential harm to the Petitioner is clearly outweighed by any harm to the defendants.

Conclusion

15. Petitioner and others similarly situated face imminent removal in a few hours. The United States District Court in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480, has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members

Therefore, , the Court should grant her Motion for a Temporary Preliminary Injunction.

Emergency Hearing

16. Petitioner considers that the facts and law in this matter permit resolution of the Petition without an evidentiary hearing. In the alternative, Petitioner asks for an emergency hearing this morning to have her arguments heard.

Prayer

WHEREFORE, premises considered, Petitioner respectfully ask this court to GRANT her **Motion for a Temporary Preliminary Injunction** and to issue a preliminary injunction ordering Defendants to:

1. Stay her removal which would be contrary to law;
2. Grant any other and further relief that this Court may deem fit and proper.

Petitioner further requests that they be awarded reasonable attorney's fees and costs associated with the litigation of this motion.

Respectfully submitted,

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NATIONAL IMMIGRATION PROJECT OF THE
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ATTORNEYS FOR PETITIONERS

By: /s/ Javier N. Maldonado
Javier N. Maldonado
Texas State Bar No. 00794216

By: /s/ Seja R. Zota
Sejal R. Zota
North Carolina State Bar No. 36535

By: /s/ Vinesh Patel
Vinesh Patel
Texas State Bar No. 24068668

By: /s/ Donald E. Uloth
Donald E. Uloth
Texas State Bar No. 20374200

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SHAHIN HASSANPOUR,	§	
	§	
Petitioner,	§	
	§	
v.	§	No. 3:17-cv-270
	§	
DONALD TRUMP, President of the	§	
United States; U.S. DEPARTMENT OF	§	
HOMELAND SECURITY (“DHS”);	§	
U.S. CUSTOMS AND BORDER	§	
PROTECTION (“CBP”); JOHN KELLY,	§	
Secretary of DHS; KEVIN K.	§	
MCALEENAN, Acting Commissioner of	§	
CBP; and CLEATUS P. HUNT, JR.,	§	
Dallas/Ft. Worth International Airport	§	
Port Director, CBP,	§	
	§	
Respondents.	§	

ORDER

Pending before the Court is Petitioner's Motion for Temporary Restraining Order and Preliminary Injunction to stay the removal of Petitioner and persons similarly situated who are detained at DFW International Airport pursuant to the President's January 27, 2017.

On January 28, 2017, the United States District Court for the Eastern District of New York issued a nationwide stay in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480, that appears to apply to Petitioner and class members detained in the DFW Airport. That Court has determined that Petitioner and class members have a strong likelihood of success in the litigation, that there is imminent danger that, absent a stay of removal, there will be substantial and irreparable injury to Petitioner and class members subject to the January 27, 2017, and that issuance of the stay will not injure the parties.

Out of an abundance of caution, the Court will stay Petitioner's and class members'

removal in this case pending completion of the proceedings in the Eastern District of New York.

WHEREFORE, IT IS HEREBY ORDERED that the Respondents, their officers, agents, servants, employees, attorneys and all persons acting in concert or participation with them will comply with the nationwide stay issued in *Hameed Khalid Darweesh and Haider Sameer Abdulkhaleq Alshawi v. Donald Trump, et. al.*, Case No. 17 Civ. 480.

IT IS FURTHER ORDERED that to assure compliance with the Court's order, the Court directs service of this Order upon the United States Marshal for the Northern District of Texas, and further directs the United States Marshals Services to take those actions deemed necessary to enforce the provisions and prohibitions set forth in this Order.

So ordered this ____ day of January, 2017.

UNITED STATES DISTRICT JUDGE

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 10:18 AM
To: OFO-FIELD LIAISON
Cc: MURDOCK, JUDSON W; (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) HOFFMAN, TODD A;
HUTTON, JAMES R; (b)(6), (b)(7)(C)
Subject: FW: DHS OIG - SAC (b)(6)
Attachments: 2017-01-29 CBP Letter.pdf

Field Liaison,

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)
Assistant Director, Field Operations (Trade)
Houston Field Office
Office of Field Operations
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 9:08 AM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: DHS OIG - SAC (b)(6)

Good morning,

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

I am seeking guidance as to if this is permissible.

Respectfully,

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C)



January 29, 2017

(b)(6), (b)(7)(C)

Port Director, Dallas/Ft. Worth
Customs and Border Protection

Re: Withdrawal of All Forms Signed By People Detained at Dallas/Fort Worth Airport Under
January 27 Executive Order

Dear Port Director (b)(6), (b)(7)(C)

I write on behalf of nine people, individually listed below, who are detained at Dallas/Fort Worth Airport under President Trump’s January 27, 2017 Executive Order. United States Customs and Border Protection officers have demanded that the detainees sign documents purporting to abandon their respective immigration statuses and/or consent to removal from the United States. Specifically, officers pressured Lawful Permanent Residents to sign Form I-407, Abandonment of Lawful Permanent Status, and visa holders to withdraw their application for admission. It is our understanding that everyone, with the possible exception of two individuals, presented with the form signed the form. Affidavit of (b)(6), (b)(7)(C) ¶ 9.

These individuals do **not** seek to withdraw their applications for admission to the United States, and any signed applications must be cancelled as invalid and withdrawn.

As you know, these are forms with serious consequences, and a signature on these forms is valid only if it was voluntary and knowing. *See, e.g.*, 8 C.F.R. 235.4. We know that many of the individuals cannot understand fluent English and did not understand or could not have understood the form they were signing. Affidavit of (b)(6), (b)(7)(C) ¶ 4, 7, 10, 11. If the remaining individuals understood English, they were told by CBP officers that they had to sign the forms or they would be sent to jail. *Id.* ¶ 5, 6, 8, 9, 12. Under these circumstances, their signatures could not have been voluntary or knowing.

Accordingly, all forms signed by anyone detained at Dallas/Fort Worth Airport under the January 27, 2017 Executive Order, including the following detainees, should be cancelled as invalid and withdrawn:

•
•
•
•
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

January 29, 2017

Page 2 of 2

-
-
-
-
-

(b)(6), (b)(7)(C)

You and your officers are bound to comply with the nationwide injunction issued yesterday in *Darweesh v. Trump*, No. 17-cv-480 (E.D.N.Y. Jan. 28, 2017) (Dkt. No. 8), prohibiting removals under the Executive Order. None of the foregoing detainees may be removed from the United States.

If your officers intend to remove anyone detained under the Executive Order, please contact me immediately at (b)(6), (b)(7)(C) or (b)(6), (b)(7)(C)

Sincerely,

(b)(6), (b)(7)(C)

Staff Attorney
ACLU of Texas

cc: (b)(6), (b)(7)(C) Port Director, Houston Airport
(b)(6), (b)(7)(C) Assistant Port Director, Dallas/Ft. Worth

AFFIDAVIT OF (b)(6), (b)(7)(C)

I, (b)(6), (b)(7)(C) do hereby declare and say as follows:

1. I am an attorney, admitted in the State of Texas, and in the federal courts of the Northern and Western Districts of Texas. I make this declaration based on my personal knowledge and would testify, if called to do so, as follows.
2. I met with family members of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) in the International Arrivals area of Terminal D of the Dallas-Fort Worth International Airport (“DFW”) on January 28, 2017.
3. The information that family members have is limited, in part because it appears that cell phones were confiscated by U.S. Customs and Border Protection (USCBP) agents sometime during the day.
4. I have spoken with the son of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) She does not speak fluent English. During her interview at the U.S. embassy for her visa, she required a translator. It is her son’s understanding that Ms. (b)(6), (b)(7)(C) signed a form agreeing to expedited removal or voluntary departure under coercion from USCBP agents at the DFW airport. (b)(6), (b)(7)(C) s son was told by airport officials that she is scheduled for a flight departing from DFW tomorrow morning, leaving at or around 11:25 AM CST.
5. I have spoken with the son of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) He reported that he was told that if he did not sign a form agreeing to expedited removal or voluntary departure, he would be placed in jail. To the best of my knowledge, (b)(6), (b)(7)(C) did not sign the form when initially presented to

him; however, I do not know if he has subsequently signed the form under coercion from USCBP agents at the DFW airport. (b)(6), (b)(7)(C)'s son was told by airport officials that he is scheduled for a flight departing from DFW tomorrow morning.

6. I have spoken with the son of (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C). She reported that she was told that if she did not sign a form agreeing to expedited removal or voluntary departure, she would be placed in jail. To the best of my knowledge, (b)(6), (b)(7)(C) did not sign the form when initially presented to him; however, I do not know if she has subsequently signed the form under coercion from USCBP agents at the DFW airport. (b)(6), (b)(7)(C)'s son was told by airport officials that she is scheduled for a flight departing from DFW tomorrow morning.
7. I have spoken with the son-in-law of (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C). She does not understand any English. She reported that she did not understand what was happening and she was forced to sign a paper. She could not read or understand the contents of the paper, but to the best of my knowledge, that form was one agreeing to expedited removal or voluntary departure under coercion from USCBP agents at the DFW airport. (b)(6), (b)(7)(C)'s son-in-law was told by airport officials that she is scheduled for a flight departing from DFW tomorrow morning, leaving at or around 11:30 AM CST.
8. I have spoken with the attorney for (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C). I do not know if she signed a form agreeing to expedited removal or voluntary departure, but it is my understanding that everyone presented with the form signed it, with the possible exception of (b)(6), (b)(7)(C). It is my

understanding that signing the form was presented as the only alternative to going to jail, and any signature was therefore signed under coercion from USCBP agents at the DFW airport.

9. I have spoken with the son of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) I do not know if he signed the form agreeing to expedited removal or voluntary departure, but it is my understanding that everyone presented with the form signed it, with the possible exception of (b)(6), (b)(7)(C) It is my understanding that signing the form was presented as the only alternative to going to jail, and any signature was therefore signed under coercion from USCBP agents at the DFW airport. (b)(6), (b)(7)(C)'s son was told by airport officials that he is scheduled for a flight departing from DFW tomorrow morning, leaving at or around 11:25 AM CST.

10. I have spoken with the daughter of (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C) He does not speak or read English. If he

signed a form agreeing to expedited removal or voluntary departure, that signature was issued under coercion from USCBP agents at the DFW airport because he could have not understood its meaning. (b)(6), (b)(7)(C)'s daughter was told by airport officials that he is scheduled for a flight departing from DFW tomorrow morning, leaving at or around 11:30 AM CST.

11. I have spoken with the daughter of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) She does not speak or read English. If she signed a form agreeing to expedited removal or voluntary departure, that signature was issued under coercion from USCBP agents at the DFW airport because she could have not understood its meaning. It is my understanding that (b)(6), (b)(7)(C)'s daughter was told by airport officials that she is

scheduled for a flight departing from DFW tomorrow morning, leaving at or around 11:30 AM CST.

12. I have spoken with the sister of (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) I do not know if she signed a form agreeing to expedited removal or voluntary departure, but it is my understanding that everyone presented with the form

signed it, with the possible exception of (b)(6), (b)(7)(C) It is my understanding that signing the form was presented as the only alternative to going to jail, and any signature was therefore signed under coercion from USCBP agents at the DFW airport.

(b)(6), (b)(7)(C) s sister was told by airport officials that she is scheduled for a flight departing from DFW tomorrow morning, leaving at or around 11:30 AM CST.

I swear under penalty of perjury that the above statement is true and accurate to the best of my knowledge.

Sworn to this 28 day of January, 2017 in Dallas, Texas.

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 10:09 AM
To: (b)(6), (b)(7)(C); SHOBERG, ERIK
Cc: (b)(6), (b)(7)(C)
Subject: RE: DHS OIG - (b)(6), (b)(7)(C)

Stand by - I will run this up to HQ and get a response.

(b)(6), (b)(7)(C)

Assistant Director, Field Operations
Houston Field Office
Office of Field Operations
U.S. Customs and Border Protection
Office: (b)(6), (b)(7)(C)
Cell: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)

This document and any attachment(s) may contain restricted, sensitive, and/or law enforcement-sensitive information belonging to the U.S. Government. It is not for release, review, retransmission, dissemination, or use by anyone other than the intended recipient.

From: (b)(6), (b)(7)(C)
Sent: Sunday, January 29, 2017 9:07:56 AM
To: SHOBERG, ERIK; (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C)
Subject: DHS OIG - (b)(6), (b)(7)(C)

Good morning,

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

I am seeking guidance as to if this is permissible.

Respectfully,

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 11:47 PM
To: DFW AIRPORT MORNING REPORT
Cc: DFW AIRPORT CHIEFS; DFW AIRPORT SUPERVISORS; DFW CBP OCC
Subject: Update 2: Situational Awareness: Protesters and Media Attention at DFW International Airport

Houston Field Office – Area Port of Dallas – DFW International Airport
Protesters and news media presence outside DFW International Airport FIS
Saturday, January 28, 2017

Update 2:

- 2240 hours – The crowd of protesters on site has grown to 800 plus. The crowd is chanting but remains peaceful. Protesters are still arriving on site. DFW Police has deployed approximately twenty officers for added security.

Update 1:

- 2045 hours – The crowd of protesters onsite has grown to 300 plus. The crowd is chanting but remains peacefully. Protesters are still arriving on site.

Summary:

On Saturday, January 28, 2017 at approximately 1630 hours protesters and news media gathered outside the DFW International Airport FIS exit. The protesters were protesting peacefully with signs against the recent executive order signed by the President of the United States. There are approximately fifty to sixty protesters. Also onsite were what appeared to be representatives from ten different news media outlets with filming equipment. DFW Police were on scene as well. Nobody was interfering with passengers exiting the FIS. At this time protesters are still onsite please see attached pictures.

Details:

- 1630 hours – Fifty to sixty protesters are outside the FIS protesting peacefully. Watch Commander notified
- 1657 hours – (b)(7)(E)
- 1700 hours – A reporter from CBS 11 came into the cashier cage waiting area, asking if anyone from our CBP would be giving a statement or comment, they were given the number to the Public Information Officer.
- 1705 hours – CBP received a phone call from the Fort Worth Star Telegram (b)(6) – reporter) asking for a statement as well, she was given the Public Information Officers' number.
- 1715 hours – All staff mustered regarding Media and protestor gathering outside FIS. Staff advised to seek alternate route to parking garage.

Impact:

No impact to passenger processing or wait times

Conclusion:

On going

Regards,

Supervisory CBPO (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

US Customs and Border Protection

DFW International Airport

7501 Esters Blvd (b)(6), (b)(7)(C)

Irving, TX 75063

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 10:46 PM
To: MANNING, REGINALD I
Cc: (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) - 212(f) of the INA

DFO Manning,

Please see below. I recommend (b)(5)

(b)(6), (b)(7)(C)
Area Port Director
Area Port of Dallas
(b)(6), (b)(7)(C) (Port Office)
(b)(6), (b)(7)(C) (Terminal D)
(b)(6), (b)(7)(C) (Mobile)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 9:18 PM
To: (b)(6), (b)(7)(C)
Cc: (b)(6), (b)(7)(C) >; DFW Airport Watch Commanders
(b)(7)(E) >; DFW AIRPORT CHIEFS < (b)(7)(E) >; DFW
AIRPORT SUPERVISORS (b)(7)(E) DFW CBP OCC (b)(7)(E)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(7)(E)

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Port of Dallas/Fort Worth, TX

(b)(6), (b)(7)(C) (ofc)

(b)(6), (b)(7)(C) cell

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Saturday, January 28, 2017 8:44 PM

To: (b)(6), (b)(7)(C)

Subject: Request for Exemption for (b)(6), (b)(7)(C) 212(f) of the INA

WC (b)(6), (b)(7)(C)

Request for exemption per Executive Order for LPR (b)(5), (b)(7)(E)

Regards,

(b)(6), (b)(7)(C)

Supervisory CBP Officer
U.S. Customs & Border Protection
DFW International Airport

(b)(6), (b)(7)(C) Work

(b)(6), (b)(7)(C) Cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Saturday, January 28, 2017 7:07 PM

To: (b)(6), (b)(7)(C)

Subject: 212(f) Case Worksheet

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

U.S. Customs and Border Protection Officer

(b)(7)(E)

Area Port of Dallas

(b)(6), (b)(7)(C) work

(b)(6), (b)(7)(C) desk

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 9:31 PM
To: MANNING, REGINALD I
Cc: (b)(6), (b)(7)(C)
 (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) 212(f) of the INA

DFO Manning,

Please see below. I recommend (b)(5)

(b)(6), (b)(7)(C)
 Area Port Director
 Area Port of Dallas
 (b)(6), (b)(7)(C) - Port Office
 (b)(6), (b)(7)(C) - Terminal D
 (b)(6), (b)(7)(C) Mobile

From: (b)(6), (b)(7)(C)
Sent: Saturday, January 28, 2017 7:23:57 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Request for Exemption for (b)(6), (b)(7)(C) 212(f) of the INA

PD (b)(6), (b)(7)(C) for review and recommendation.

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

- (b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

Watch Commander
U.S. Customs and Border Protection
Port of Dallas/Fort Worth, TX

(b)(6), (b)(7)(C) (ofc)

(b)(6), (b)(7)(C) (cell)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Saturday, January 28, 2017 7:56 PM

To: (b)(6), (b)(7)(C)

Subject: Request for Exemption for (b)(6), (b)(7)(C) 212(f) of the INA

WC (b)(6), (b)(7)(C)

Request for exemption per Executive Order for LPR

(b)(7)(E)

(b)(6), (b)(7)(C)

Supervisory CBP Officer
U.S. Customs & Border Protection
DFW International Airport

(b)(6), (b)(7)(C) Work

(b)(6), (b)(7)(C) Cell

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)

Sent: Saturday, January 28, 2017 6:06 PM

To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: 212(f) Case Worksheet

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(7)(E) Narrative:

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(5), (b)(6), (b)(7)(C), (b)(7)(E)

(b)(6), (b)(7)(C)

U.S. Customs and Border Protection Officer

(b)(7)(E)

Area Port of Dallas

(b)(6), (b)(7)(C) work

(b)(6), (b)(7)(C) desk

(b)(6), (b)(7)(C)

From: (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 5:44 PM
To: (b)(6), (b)(7)(C)
Subject: FW: photos
Attachments: Image.png; Image1.png; Image2.png; Image3.png; Image4.png; Image5.png

From: (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 12:12 PM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: photos

[Current photos of protest..](#)

From: (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 8:29 AM
To: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Cc: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

Subject: EO - SUSPENDED

Importance: High

Team – See below from our P D. Business as usual. Immediately stand down on the EO.

WC (b)(6), (b)(7)(C)

Effective immediately, U.S. Customs and Border Protection will suspend any and all actions implementing the below sections of the Executive Order 13769 entitled, “*Protecting the Nation from Foreign Terrorist Entry into the United States*” (January 27, 2017):

- Section 3(c)
- Section 5(a)
- Section 5(b)
- Section 5(c)
- Section 5(e)

- **CBP will immediately resume inspection of travelers in accordance with standard policy and procedures.**

Additional information will be provided as available.

Inquiries should be directed to Mr. (b)(6), (b)(7)(C) CBP Public Affairs Branch Chief at (b)(6), (b)(7)(C)

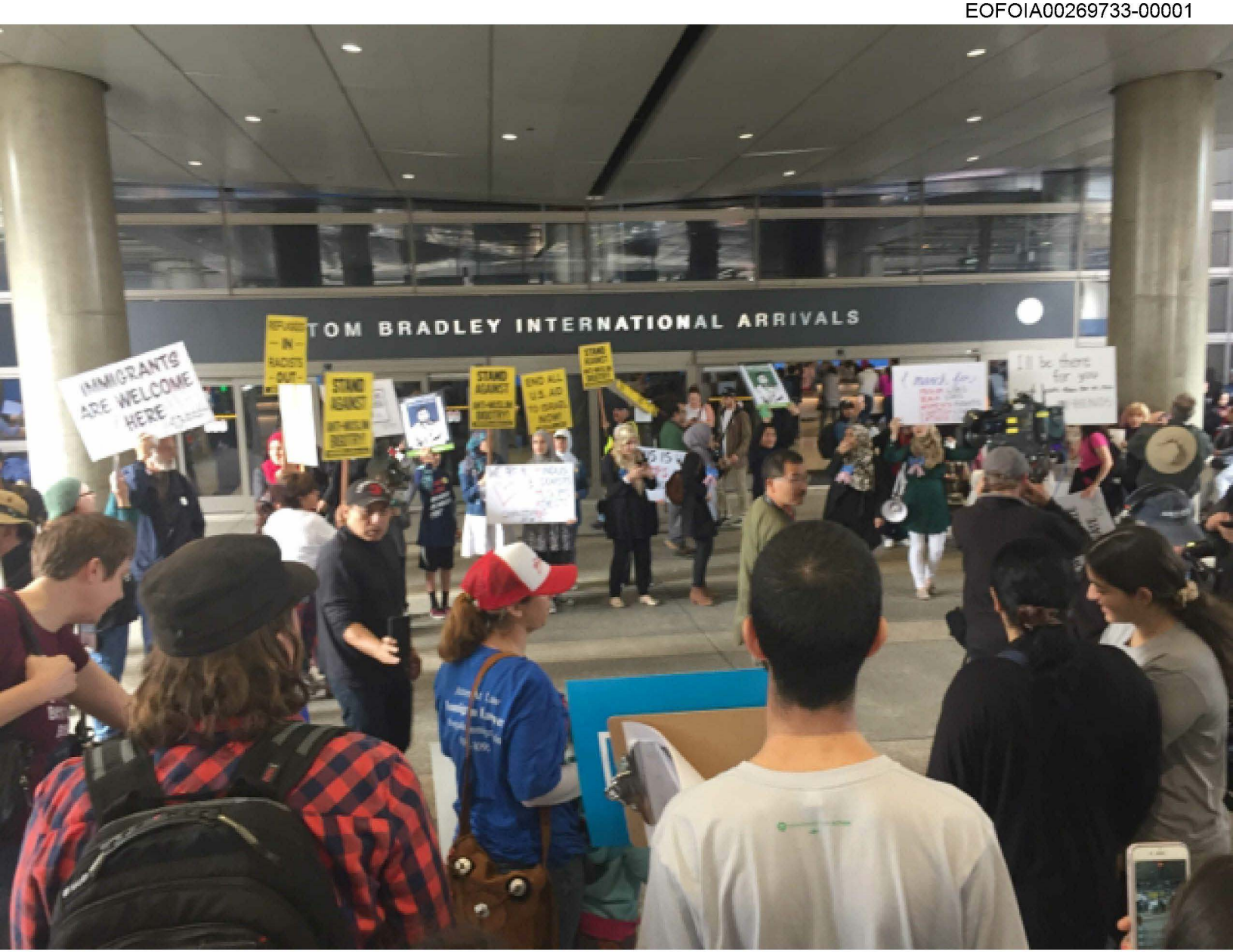
Regards,

(b)(6), (b)(7)(C)
Area Port Director
Los Angeles International Airport

(b)(6), (b)(7)(C) Watch Commander
Los Angeles International Airport
Office: (b)(6), (b)(7)(C)

U.S. Customs and Border Protection

(b)(6), (b)(7)(C)













From: (b)(6), (b)(7)(C)
Sent: Saturday, February 04, 2017 12:28 AM
To: (b)(6), (b)(7)(C); MARTEL, CARLOS C; (b)(6), (b)(7)(C)
(b)(6), (b)(7)(C)
Subject: RE: Provisional Revocations Lifted in Compliance with Court Order

10-4

From: (b)(6), (b)(7)(C)
Sent: Friday, February 03, 2017 8:54:19 PM
To: MARTEL, CARLOS C; (b)(6), (b)(7)(C)
Subject: RE: Provisional Revocations Lifted in Compliance with Court Order

Good copy

From: MARTEL, CARLOS C
Sent: Friday, February 03, 2017 8:12:46 PM
To: (b)(6), (b)(7)(C)
Subject: FW: Provisional Revocations Lifted in Compliance with Court Order

Fyi
Carlos C. Martel
Director, Field Operations
Los Angeles Field Office
U.S. Customs and Border Protection

(b)(6), (b)(7)(C) - Office
(b)(6), (b)(7)(C) - Mobile

From: HOFFMAN, TODD A
Sent: Saturday, February 04, 2017 2:20:44 AM
To: MCALEENAN, KEVIN K; DIRECTORS FIELD OPS; EXECUTIVE DIRECTORS HQ
Cc: FLANAGAN, PATRICK S; (b)(6), (b)(7)(C); HUTTON, JAMES R; (b)(6), (b)(7)(C)
Subject: FW: Provisional Revocations Lifted in Compliance with Court Order

Department of State letter attached.

Todd A. Hoffman
Executive Director, Admissibility and Passenger Programs
Office of Field Operations
U.S. Customs and Border Protection

From: (b)(6)
Sent: Friday, February 03, 2017 9:15 PM
To: HOFFMAN, TODD A; (b)(6), (b)(7)(C)
Subject: FW: Provisional Revocations Lifted in Compliance with Court Order

Letter attached. State lawyers will forward copy to CBP counsel.

Regards,

(b)(6)

(b)(6)

Deputy Assistant Secretary
Bureau of Consular Affairs
Department of State

Official
UNCLASSIFIED

From: (b)(6)
Sent: Friday, February 03, 2017 9:10 PM
To: (b)(6)
Subject: FW: reversal global

Your letter reversing.

(b)(6)
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