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Attorneys for Petitioner & Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
Eugene Division

M-J-M-A- and VICTOR CRUZ GAMEZ,
individually and on behalf of all similarly
situated individuals,

Petitioner and Plaintiffs,

v.

LAURA HERMOSILLO, Seattle Field Office
Director, Immigration and Customs
Enforcement and Removal Operations
("ICE/ERO"); TODD LYONS, Acting
Director of Immigration Customs
Enforcement ("ICE"); U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT; KRISTI
NOEM, Secretary of the Department of
Homeland Security ("DHS"); U.S.
DEPARTMENT OF HOMELAND
SECURITY; and PAMELA BONDI, Attorney
General of the United States,

Respondents-Defendants.

Case No. 6:25-cv-02011-MTK

**DECLARATION OF VICTOR CRUZ
GAMEZ ISO PETITIONER'S AND
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION**

**DECLARATION OF VICTOR CRUZ GAMEZ ISO PETITIONER'S AND
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

I, Victor Cruz Gamez, under penalty of perjury, do solemnly declare:

1. I am a Plaintiff in the current matter.
2. I was born in Mexico on January 31, 1970. I am 55 years old. My native language is Spanish. I speak and understand English, but my preferred language is Spanish.
3. I first came to the United States as a minor in 1987. I lived in the U.S. for about three years and then returned to Mexico. I came to the U.S. again in the early 1990s. I last came to the United States in 1999 and have lived in the U.S. since then.
4. I live in Hillsboro, Oregon with my wife. My wife and I live in a house we co-own with our son. We have lived in our house for about three years. I have three children, one son, Brayam, age 30, and two daughters, Atziri, age 27, and Lesly, age 29. Brayam and Atziri are lawful permanent residents and Lesly has DACA (Deferred Action for Childhood Arrivals). They all live in Oregon, nearby my wife and I, with their families. I am grateful to be close to them and to my four grandchildren.
5. I own my own business, a construction business, which I have owned and operated for about a year and a half. My business is licensed and bonded. Most of my work focuses on remodels. I do about 90% of the work on my own but occasionally I work with other contractors to complete jobs for clients who have hired me. I take a lot of pride in helping people remodel their homes and businesses and feel fortunate to have found a profession that I care deeply about.

DECLARATION OF VICTOR CRUZ GAMEZ IN SUPPORT OF PETITIONER'S AND
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

6. I am proud of the life I have built here. I have focused on raising a strong family while also helping others in my community. When I first came to the United States, I volunteered at a cultural center in Oregon for about two years. I knew a little English at the time and there were people who didn't know the language, so I helped them to learn English so that they could find a job.
7. I earned my GED and later took English classes at Portland Community College, where I also got my business license.
8. I am fortunate to have built a good life here in the U.S. with my family, however, I have suffered harm here too. In 2012, I was the victim of fraud and obstruction of justice. I assisted in the investigation and prosecution of that crime. On that basis, I applied for a U visa and included my wife on that application. In May 2025, my wife and I both received a bona fide determinations and deferred action, which I understand to mean that the government has reviewed my U visa application, has determined I meet all U visa requirements and that my U visa will be approved once a visa is available. My wife and I received our work permits, which reflect that we have deferred action, as well as our Social Security numbers.
9. On October 14, 2025, I was driving home from work when I saw flashing lights from a patrol car behind me. At first, I thought the patrol car just wanted to pass me. I pulled to the side to allow the patrol car to pass, but the car pulled over and stopped behind me. The car was not marked. I saw three people – two men and one woman. The driver had a blue jacket that had the letters "HSI" on it. One of the men and the woman got out of the car and approached my truck from either side. They were wearing vests and masks but

had no other badge or marking to indicate who they were. It was then that I suspected

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they were with ICE. They began yelling at me in English and banging on my windows, asking if I was Victor Cruz. They told me to turn off the truck. They kept asking if I was Victor Cruz Gamez. I was afraid to get out of my truck and I rolled down the window to tell them that I was Victor Cruz Gamez. They told me to get out of the truck. I asked them not to hurt me because I had an injured leg. I got out of the truck and they took me to the back of the truck. One of the officers asked me if I had identification. I said yes and gave him my driver's license. I told him I had a work permit that permitted me to work lawfully here. The officer then asked to see my work permit. I gave him my work permit, he looked at it and said it meant nothing to them, that I was still "an illegal." The officers then handcuffed me, chained my waist and ankles, and put me in an SUV.

10. When I was in the SUV, I noticed that the officers were looking at a photo of the actual person they were looking for and I heard them asking each other if I was that person. I heard another person on the phone asking if I was him.

11. The officers did not show me a warrant.

12. I was terrified. I was thinking about my family and wondering whether they would know what had happened to me and how they would know I had been arrested by ICE.

13. After my arrest and before they took me to the immigration building, the officers drove on and arrested another person. They put the other person in a different vehicle. I observed three vehicles in total.

14. The officers took me to an immigration facility in Portland. At that facility, they took my fingerprints and asked me questions. They asked me to sign my deportation, but I told them no and that I wanted to speak with a judge. Although they confirmed I was not the

person they had initially been looking for, one of the officers told me that because I was there, they must take me to Tacoma.

15. We arrived to the Northwest ICE Processing Center (“NWIPC”) in Tacoma, Washington.

Once there, they put about 80 people in a cell. It was very cold and we did not get enough to eat. I remember we had to wait long hours between meals.

16. Officers asked several times if we wanted to sign our deportation but I refused each time and said I wanted to fight my case.

17. I was detained for about three weeks. I was only released after a federal judge ordered my release from ICE custody. After I was released, ICE place an ankle monitor on me and gave me other reporting requirements.

18. ICE agreed to let me remove the ankle monitor the week after I left Tacoma. I had an appointment with immigration in Portland, they sent me to an office where they took the ankle monitor off. I still have to report every Monday sending a photo of myself through an app on my phone. Every month, I have to report in person. My next appointment is January 24th. I also have home visits, where someone comes to my home. I have had one home visit so far and another home visit is scheduled.

19. I am the wage earner in my family and my inability to work has impacted us greatly. My wife and I have a lot of fear that ICE will arrest and detain me again. We are afraid even to go to the grocery store. I have started seeing a therapist to help me manage the fear and anxiety this event has caused me. With the encouragement of my therapist, I left the house to do some small jobs. I am still deeply afraid and constantly vigilant, constantly nervous. But I have to work despite the fear because I have to support my family.

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20. We continue to hear about ICE activity in surrounding neighborhoods. I don't want to live the same nightmare again. If ICE arrests me again, I will sign my deportation. My arrest and detention has been so hard on me and my family. One of my grandchildren had to start mental health treatment following my detention. My family can't make it through that again. I can't make it through that again.

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Dated: January 6, 2026

/s/ Victor Cruz Gamez
VICTOR CRUZ GAMEZ
Plaintiff

CERTIFICATE OF TRANSLATION

I, Kelsey Provo, am competent to interpret between English and Spanish and certify that I have read the contents of this declaration to Plaintiff in Spanish. Plaintiff stated that they understood its contents and verified that they were true and accurate.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: January 6, 2026

/s/ Kelsey Provo
Kelsey Provo
INNOVATION LAW LAB
333 SW 5th Ave. Ste. 200
Portland, OR 97204
kelsey@innovationnlawlab.org
971-277-4410

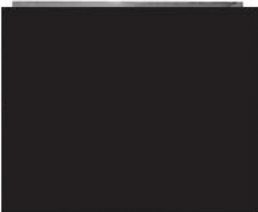
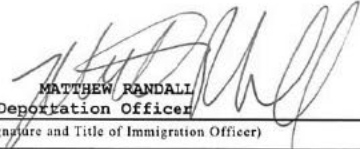
DECLARATION OF VICTOR CRUZ GAMEZ IN SUPPORT OF PETITIONER'S AND PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION

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U.S. Department of Homeland Security

Subject ID : 400399418

Record of Deportable/Inadmissible Alien

Family Name (CAPS) CRUZ-GAMEZ, VICTOR		First	Middle	Sex M	Hair BLK	Eyes BRO	Cmplxn LBR
Country of Citizenship MEXICO	Passport Number and Country of Issue 280	Date of Birth 1970		Height 67	Weight 175	Occupation Construction	
U.S. Address 1623 E J ST APT STE 5, TACOMA, WASHINGTON, 98421,				Scars and Marks			
Date, Place, Time, and Manner of Last Entry Unknown Date Unknown Time, WI-Without Inspection				Passenger Boarded at			
Number, Street, City, Province (State) and Country of Permanent Residence NOT GIVEN NAUCALPAN, MEXICO				F.B.I. Number CA			
Date of Birth 1970		Age: 55		Date of Action 10/14/2025		Location Code PCO/SEA	
City, Province (State) and Country of Birth Uruapan, MICHOACAN, MEXICO		AR ☒ Form : (Type and No.)		Lifted ☐ Not Lifted ☐		Method of Location/Apprehension CA	
NIV Issuing Post and NIV Number		Social Security Account Name		At/Near See I-831		Date/Hour 10/14/2025 18:26	
Date Visa Issued		Social Security Number		By MATTHEW RANDALL		Status at Entry None	
Immigration Record NEGATIVE		Criminal Record		Status When Found		Length of Time Illegally in U.S.	
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate) None				Number and Nationality of Minor Children None			
Father's Name, Nationality, and Address, if Known CRUZ, NATIONALITY: MEXICO				Mother's Present and Maiden Names, Nationality, and Address, if Known GAMEZ, NATIONALITY: MEXICO			
Monies Due/Property in U.S. Not in Immediate Possession None Claimed		Fingerprinted? ☐ Yes ☒ No		Systems Checks NCIC Neg		Charge Code Words(s) See Narrative	
Name and Address of (Last)(Current) U.S. Employer See Narrative		Type of Employment See Narrative		Salary See Narrative		Employed from/to 01/02/2020	
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)							
							
Subject Health Status The subject claims to have a pacemaker (installed about 2 years ago)							
Current Administrative Charges 10/14/2025 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs)							
NAME AND ADDRESS OF US EMPLOYER ... (CONTINUED ON I-831)							
Alien has been advised of communication privileges				 MATTHEW RANDALL Deportation Officer (Signature and Title of Immigration Officer)			
Distribution: Afile				Received: (Subject and Documents) (Report of Interview)			
				Officer: MATTHEW RANDALL			
				on: October 14, 2025 (time)			
				Disposition: Warrant of Arrest/Notice to Appear			
				Examining Officer: REDDISH, JORDAN			

Form I-213 (Rev. 08/01/07)

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U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name CRUZ-GAMEZ, VICTOR	File Number [REDACTED] Event No: [REDACTED]	Date 10/14/2025
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Self Employed, [REDACTED] Hillsboro, OREGON, 97124, UNITED STATES

TYPE OF EMPLOYMENT

Operators, Fabricators, and Laborers

AT/NEAR

Hillsboro, OR

Record of Deportable/Excludable Alien:

ENCOUNTER DATA
On October 14, 2025, Victor Manuel CRUZ-Gamez was encountered during a vehicle stop in Hillsboro, Oregon during immigration enforcement operations. CRUZ-Gamez had been previously identified as a subject in the United States in violation of immigration law. ERO officers initiated a vehicle stop on a white pickup truck, bearing Oregon plate , and registered to CRUZ-Gamez, Victor. CRUZ-Gamez was positively identified by officers and admitted to entering the United States without inspection. CRUZ-Gamez was transported to the Portland Field Office for further processing.

ENTRY DATA
CRUZ-Gamez stated that he entered the United States in May of 1999 from Piedras Negras, Mexico into the United States without inspection by U.S. Immigration Officers. This location was not designated as a port of entry by the Attorney General or the Secretary of the Department of Homeland Security. CRUZ-Gamez stated this is his first and only entry into the United States.

IMMIGRATION HISTORY
On May 11, 1999, the U.S. Border Patrol arrested CRUZ-Gamez and granted him a voluntary return to Mexico.

CRIMINAL HISTORY
Criminal history checks for CRUZ-Gamez were negative.

SQ-11/NN-13 records check for outstanding wants, warrants, and lookouts were negative.

BASIS FOR ICE CHARGES
CRUZ-Gamez makes no claim to USC or LPR and is amenable to removal under section 212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that CRUZ-Gamez is an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

DISPOSITION
CRUZ-Gamez was advised of his right to speak to a consulate officer from Mexico. CRUZ-Gamez states he has no fear of persecution or torture if removed to Mexico. CRUZ-Gamez has no immigration petitions or applications pending or approved. He has been approved for a work permit, I-765. A U-Visa has been bonafide granted on May 7, 2025. CRUZ-Gamez requested a hearing before an immigration judge. CRUZ-Gamez was issued a Notice to Appear. CRUZ-Gamez was provided a list of free legal services. CRUZ-Gamez was provided a copy of the On-line Detainee Locator System privacy notice.

Signature MATTHEW RANDALL	Title Deportation Officer
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Continuation Page for Form I-213

Alien's Name CRUZ-GAMEZ, VICTOR	File Number [REDACTED] 280 Event No: [REDACTED]	Date 10/14/2025
CRUZ-Gamez will be held in ICE custody pending removal from the United States. CRUZ-Gamez claims he did not attend/graduate high school in the United States. CRUZ-Gamez claims he did not serve in the United States military. CRUZ-Gamez claims to have no minor children. CRUZ-Gamez claims to be married to [REDACTED], a Mexican citizen. CRUZ-Gamez claims to have a pacemaker installed in 2023. He has not had any issues in the last two years. CRUZ-Gamez successfully completed a phone call on October 14, 2025. at Phone called witnessed by Officer Randall.		
Other Identifying Numbers ----- ALIEN-[REDACTED]280		
Signature MATTHEW RANDALL 		Title Deportation Officer

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