

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF
MICHIGAN**

Juan Antonio GOMEZ-CAMARENA,)	
)	CASE NO. 21-11280
<i>Plaintiff</i>)	
v.)	
DEPARTMENT OF JUSTICE)	
)	
Merrick GARLAND, Attorney General)	
)	
and)	
EXECUTIVE OFFICE OF)	
IMMIGRATION REVIEW)	
)	
<i>Defendants</i>)	

**EXHIBITS IN SUPPORT OF COMPLAINT FOR
DECLARATORY, INJUNCTIVE, AND
MANDAMUS RELIEF**

<u>Exhibit</u>	<u>Description</u>
A.	Petitioner’s FOIA Request
B.	Petitioner’s FOIA Receipt Issued by the EOIR
C.	Email to EOIR Regarding FOIA Request Status
D.	Petitioner’s Motions for Extension with the BIA and Corresponding Orders.

A



Elona Farkas <efarkas@greencard-us.com>

Juan Antonio Gomez Camarena-A# 088-454-835

1 message

Elona Farkas <EFarkas@greencard-us.com>

Tue, Dec 22, 2020 at 11:35 AM

To: EOIR.FOIARequests@usdoj.gov, 75d771614+matter1254346054@maildrop.clio.com

We are respectfully submitting a FOIA request on behalf of Juan Antonio Gomez Camarena. Please see Form DOJ-361, certification of identity and EOIR-27 attached.

We hope that you can honor our request in an expeditious manner. Thank you for your attention to this matter,

Sincerely,

Elona Farkas
Paralegal



WE LIVE THE IMMIGRANT EXPERIENCE

33505 Fourteen Mile Rd., Suite 20
Farmington Hills, MI 48331
(248) 932-0990 Fax: (248) 932-4971
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Direct Line: 248-438-4068

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2 attachments

DOJ 361.pdf
83K

U.S Department of Justice

Certification of Identity

FORM APPROVED OMB NO.
1103-0016 EXPIRES 05/31/2020

Privacy Act Statement. In accordance with 28 CFR Section 16.41(d) personal data sufficient to identify the individuals submitting requests by mail under the Privacy Act of 1974, 5 U.S.C. Section 552a, is required. The purpose of this solicitation is to ensure that the records of individuals who are the subject of U.S. Department of Justice systems of records are not wrongfully disclosed by the Department. Requests will not be processed if this information is not furnished. False information on this form may subject the requester to criminal penalties under 18 U.S.C. Section 1001 and/or 5 U.S.C. Section 552a(i)(3).

Public reporting burden for this collection of information is estimated to average 0.50 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Suggestions for reducing this burden may be submitted to the Office of Information and Regulatory Affairs, Office of Management and Budget, Public Use Reports Project (1103-0016), Washington, DC 20503.

Full Name of Requester ¹ Juan Antonio Gomez CamarenaCitizenship Status ² N/A Social Security Number ³ 844-10-8848Current Address 7564 Orleans Ave E, Sterling Heights, MI 48314Date of Birth 10-21-1970 Place of Birth Mexico**OPTIONAL: Authorization to Release Information to Another Person**

This form is also to be completed by a requester who is authorizing information relating to himself or herself to be released to another person.

Further, pursuant to 5 U.S.C. Section 552a(b), I authorize the U.S. Department of Justice to release any and all information relating to me to:

George P. Mann**Print or Type Name**

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I am the person named above, and I understand that any falsification of this statement is punishable under the provisions of 18 U.S.C. Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years or both, and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of 5 U.S.C. 552a(i)(3) by a fine of not more than \$5,000.

Signature ⁴ Juan Antonio Gomez Camarena Date 12/22/2020

¹ Name of individual who is the subject of the record(s) sought.

² Individual submitting a request under the Privacy Act of 1974 must be either "a citizen of the United States or an alien lawfully admitted for permanent residence," pursuant to 5 U.S.C. Section 552a(a)(2). Requests will be processed as Freedom of Information Act requests pursuant to 5 U.S.C. Section 552, rather than Privacy Act requests, for individuals who are not United States citizens or aliens lawfully admitted for permanent residence.

³ Providing your social security number is voluntary. You are asked to provide your social security number only to facilitate the identification of records relating to you. Without your social security number, the Department may be unable to locate any or all records pertaining to you.

⁴ Signature of individual who is the subject of the record sought.

**Notice of Entry of Appearance as Attorney
 or Representative Before the Board of
 Immigration Appeals**

(Type or Print) NAME AND ADDRESS OF REPRESENTED PARTY Juan A Gomez Camarena _____ (First) (Middle Initial) (Last) 7564 Orleans Ave E _____ (Number and Street) (Apt. No.) Sterling Height MI 48314 _____ (City) (State) (Zip Code)	ALIEN ("A") NUMBER (Provide A-number of the party/parties represented) A 088-454-835 _____ USCIS Visa Petition Appeal (Provide beneficiary name and A-number) _____ Fine (Provide fine number) _____ Disciplinary case (Provide docket number) _____
---	---

Attorney or Representative (please check one of the following):

- I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest court(s) of the following states(s), possession(s), territory(ies), commonwealth(s), or the District of Columbia (use additional space on reverse side if necessary), and I am not subject to any order disbaring, suspending, enjoining, restraining or otherwise restricting me in the practice of law in any jurisdiction (if subject to such an order, do not check this box and explain on reverse).
Full Name of Court Michigan **Bar Number (if applicable)** p24888
- I am a representative accredited to appear before the Executive Office for Immigration Review as defined in 8 C.F.R. § 1292.1(a)(4) with the following recognized organization:

- I am a law student or law graduate of an accredited U.S. law school as defined in 8 C.F.R. § 1292.1(a)(2).
- I am a reputable individual as defined in 8 C.F.R. § 1292.1(a)(3).
- I am an accredited foreign government official, as defined in 8 C.F.R. § 1291.1(a)(5), from _____ (country).
- I am a person who was authorized to practice on December 23, 1952, under 8 C.F.R. § 1292.1(b).

Attorney or Representative (please check one of the following):

- I hereby enter my appearance as attorney or representative for, and at the request of, the party named above.
 - EOIR has ordered the provision of a Qualified Representative for the party named above, and I appear in that capacity.
- I have read and understand the statements provided on the reverse side of this form that set forth the regulations and conditions governing appearances and representations before the Board of Immigration Appeals. By signing this form, I consent to publication of my name and any findings of misconduct by EOIR, should I become subject to any public discipline by EOIR pursuant to the rules and procedures at 8 C.F.R. 1004.101 *et seq.* I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNATURE OF ATTORNEY OR REPRESENTATIVE	EOIR ID NUMBER	DATE
<input checked="" type="checkbox"/> //s//, GEORGE PETER MANN	FR598295	12/21/2020

NAME OF ATTORNEY OR REPRESENTATIVE, ADDRESS, FAX & PHONE NUMBERS, & EMAIL ADDRESS

Name: George P Mann

 (First) (Middle Initial) (Last)

Law Firm: George P.Mann & Assoc., P.C.

Address: 33505 W. 14 Mile Rd., Ste 20

 (Number and Street) (Suite)

Farmington Hills MI 48331

 (City) (State) (Zip Code)

Telephone: 248-932-0990 Facsimile: _____ Email: gpmann@greencard-us.com

Check here if new address

Indicate Type of Appearance:

Primary Attorney/Representative Non-Primary Attorney/Representative

I am providing pro bono representation. Check one: yes no

Proof of Service

I (Name) George Peter Mann provided a copy of this Form EOIR-27 on (Date) 12/21/2020

to the DHS (U.S. Immigration and Customs Enforcement – ICE) at 333 Mt. Elliott St., Room 204, Detroit, MI 48207
 DHS (U.S. Citizenship and Immigration Services – USCIS) at _____
 EOIR Disciplinary Counsel at _____

X //s//, GEORGE PETER MANN on 12/21/2020 03:59:15 PM

Signature of Person Serving

APPEARANCES - An appearance for each represented party shall be filed on a separate Form EOIR-27 by the attorney or representative appearing in each appeal or motion before the Board of Immigration Appeals (“BIA”) (see 8 C.F.R. § 1003.38(g)), even though the attorney or representative may have appeared in the case before the Immigration Judge or the U.S. Citizenship and Immigration Services. For information on how to file a Form EOIR-27, please see the BIA *Practice Manual* on the EOIR website at www.justice.gov/eoir. If information is omitted from the Form EOIR-27 or it is not properly completed, the appearance may not be recognized, and the accompanying filing may be rejected. When an appearance is made by a person acting in a representative capacity, his/her personal appearance or signature constitutes a representation that, under the provisions in 8 C.F.R. part 1003, he/she is authorized and qualified to represent individuals and will comply with the EOIR Rules of Professional Conduct in 8 C.F.R. § 1003.102. Thereafter, substitution or withdrawal may be permitted upon approval by the BIA of a request of the attorney or representative of record in accordance with *Matter of Rosales*, 19 I&N Dec. 655 (1988). Appearances for limited purposes are not permitted. See *Matter of Velasquez*, 19 I&N Dec. 377, 384 (BIA 1986). **Note:** Attorneys and Fully Accredited Representatives must register with the EOIR eRegistry online at www.justice.gov/eoir in order to practice before the BIA (see 8 C.F.R. § 1292.1(f)), and must first update their address in eRegistry before filing a Form EOIR-27 that reflects a new address.

FREEDOM OF INFORMATION ACT - This form may not be used to request records under the Freedom of Information Act or the Privacy Act. The manner of requesting such records is in 28 C.F.R. §§ 16.1-16.11 and appendices. For further information about requesting records from EOIR under the Freedom of Information Act, see How to File a Freedom of Information Act (FOIA) Request With the Executive Office for Immigration Review, available on EOIRs website at www.justice.gov/eoir.

PRIVACY ACT NOTICE - The information requested on this form is authorized by 8 U.S.C. § 1362 and 8 C.F.R. § 1003.3 in order to enter an appearance to represent a party before the Board of Immigration Appeals. The information you provide is mandatory and required to enter an appearance. Failure to provide the requested information will result in an inability to represent a party or receive notice of actions in a proceeding. EOIR may share this information with others in accordance with approved routine uses described in EOIRs system of records notice, EOIR-001, Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004), or its successors and EOIR-003, Practitioner Complaint-Disciplinary Files, 64 Fed. Reg. 49237 (September 1999).

CASES BEFORE EOIR - Automated information about cases before EOIR is available by calling (800) 898-7180 or (304) 625-2050 or online under Find Case Information on the EOIR website at www.justice.gov/eoir.

ADDITIONAL INFORMATION:

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to review the form, gather necessary materials, and assemble the attachments is 2 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, 26th Floor, Falls Church, Virginia 22041.

B



Maris J. Liss <mliss@greencard-us.com>

Fwd: DOJ-EOIR FOIA Request # 2021-11399

1 message

George P. Mann <GPMann@greencard-us.com>
To: All-Office <All@greencard-us.com>

Thu, Dec 31, 2020 at 11:04 AM

GEORGE P. MANN
Attorney & Counselor



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----- Forwarded message -----
From: <eoir.foiarequests@usdoj.gov>
Date: Thu, Dec 31, 2020 at 10:42 AM
Subject: DOJ-EOIR FOIA Request # 2021-11399
To: <gpmann@greencard-us.com>

Re: 2021-11399
Freedom of Information Act Request for GOMEZ-CAMARENA, JUAN ANTONIO

Dear George P. Mann,

This response acknowledges receipt of your Freedom of Information Act (FOIA) request by the Executive Office for Immigration Review (EOIR) dated 12/22/2020 and received 12/22/2020. Your request has been assigned control number 2021-11399.

Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be significant delay in the processing of your request. If your request is for a Record of Proceeding (ROP), those records ordinarily reside in individual hard-copy Record of Proceeding files located in one of the 63 EOIR Immigration Courts or 15 Federal Records Centers long-term storage facilities geographically located throughout the United States or its territories. Currently, the Immigration Courts and the Federal Records Centers are operating at limited capacity with limited staff and/or are closed due to COVID-19. To check on current operating status for EOIR's Immigration Courts or NARA's Federal

Records Centers, please visit <https://www.justice.gov/eoir-operational-status> and <https://www.archives.gov/frc/operating-status>.

If you have filed a fee waiver request, EOIR will address the fee waiver in a separate letter. Most requests for records of proceedings do not require any fees; however, if the fees for processing the request are estimated to exceed \$25.00, EOIR will notify you before processing the request to determine whether you will commit to paying the fee or whether you wish to narrow the scope of your request to reduce the fee. Fees may be charged for searching records at the rate of \$4.75 (administrative)/\$10.00 (professional) per quarter hour, and for duplication of copies at the rate of \$.05 per copy. The first 100 copies and two hours of search time are not charged, and charges must exceed \$25.00 before we will charge a fee.

The FOIA requires an agency to respond within 20 working days after receipt of the request, and EOIR endeavors to meet this standard. The FOIA permits a ten-day extension of this time period, pursuant to 5 U.S.C. § 552(a)(6) (B), based on unusual circumstances. Your request involves “unusual circumstances,” and EOIR is extending the time period to respond by an additional 10 working days because your request requires the collection of records from field offices, or involves a search, collection, and review of voluminous records, or requires consultation with another agency or two or more agency components.

EOIR FOIA requests are placed in one of three tracks. Track one is for those requests that seek and receive expedited processing pursuant to subsection (a)(6)(E) of the FOIA. Track two is for simple requests that do not involve voluminous records or lengthy consultations with other entities. Track three is for complex requests that involve voluminous records and for which lengthy or numerous consultations are required, or those requests that may involve sensitive records. As a matter of default, your request has been placed in track two for simple requests. If you have requested expedited processing, EOIR will contact you in a separate letter.

If you have any questions regarding unusual circumstances, you may contact the EOIR FOIA Service Center or FOIA Public Liaison at (703) 605-1297 or EOIR.FOIArequests@usdoj.gov to discuss reformulation or an alternative time frame to process your request, or for any further assistance regarding any aspect of your request. Alternatively, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,

FOIA Intake

C



Rachel Lehr <rlehr@greencard-us.com>

2021-11399 - Gomez Camarena, Juan Antonio

1 message

Rachel Lehr <rlehr@greencard-us.com> Thu, May 13, 2021 at 4:25 PM
To: EOIR.FOIArequests@usdoj.gov, "Maris J. Liss" <MLiss@greencard-us.com>

Hello,

I am writing to you in regards to the above referenced Freedom of Information Act request filed by our office. We received the attached receipt on 12/31/2020, indicating that our request was placed on the track for "simple requests" and would not take more than 30 working days. It has now been approximately 90 working days and we have yet to receive the results.

Please note that this is an urgent matter, our office was retained to represent Mr. Gomez Camarena in his appeal before the Board of Immigration Appeals. Our office cannot do so effectively without the full record of proceedings that only an EOIR FOIA request can provide. Our office has repeatedly requested briefing extensions in light of these circumstances, however the Board has denied such requests.

Please advise when our office can expect to receive the results of our pending request.

Thank you for your assistance in this matter.
Sincerely,

--
Rachel Lehr
Attorney & Counselor



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FOIA Receipt 2021-11399.pdf
276K

D



**GEORGE P. MANN
& ASSOCIATES**

IMMIGRATION & NATIONALITY LAWYERS

33505 W. 14 MILE ROAD, SUITE 20, FARMINGTON HILLS, MI 48331

248.932.0990

WWW.GREENCARD-US.COM

December 31, 2020

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

RE: GOMEZ CAMARENA, Juan Antonio. A#088-454-835

- A. MOTION TO RESET BRIEFING SCHEDULE FOR
NEWLY RETAINED CLIENT WHOSE BRIEFING DEADLINE PASSED AND FOR WHOM
COUNSEL DOES NOT HAVE THE FULL AND COMPLETE RECORD

AND

- B. MOTION TO REMAND BASED ON NEW EVIDENCE CONTRIBUTING TO
EXCEPTIONAL AND EXTREMELY UNUSUAL HARDSHIP FOR CANCELLATION OF
REMOVAL THAT WAS NOT PREVIOUSLY AVAILABLE AND CAUSED BY THE
COVID19 PANDEMIC

Dear Sir/Madam,

- A. **MOTION TO RESET BRIEFING SCHEDULE FOR
NEWLY RETAINED CLIENT WHOSE BRIEFING DEADLINE PASSED AND FOR
WHOM COUNSEL DOES NOT HAVE THE FULL AND COMPLETE RECORD**

On December 22, 2020, the above-referenced client, GOMEZ CAMARENA, Juan Antonio. A#088-454-835, retained me to represent him in an appeal to the Board. I did not handle the underlying trial and therefore I do not possess the complete record. His appeal brief due date has passed (December 11, 2020)

Exhibit 1-Retainer Agreement between our office and Mr. Juan Antonio Gomez Camarena dated December 21, 2020 (he retained me the following day by paying the required deposit).

Exhibit 2-FOIA request filed electronically with the Board of Immigration Appeals immediately on December 22, 2020 upon being retained

GOMEZ CAMARENA, Juan Antonio. A#088-454-835

Exhibit 3-Briefing schedule set by the Board of Immigration Appeals showing the brief was due December 11, 2020.

Upon reading the decision and transcript that the client does have, there are references exhibits that I need to review in order to prepare my appellate arguments. Therefore I immediately filed a Freedom of Information Act (FOIA) request for the entire BIA record when I was retained last week. See **Exhibit 2**, proof of filing FOIA request.

This gentleman's hearing concluded in early 2019 and from his perspective the case went dark until he got the briefing schedule, **Exhibit 3**. Due to constraints of the pandemic, it probably took longer than usual for Mr. Gomez to find and retain a lawyer. I am writing to ask that the case briefing schedule be reset AFTER the Board satisfies the Freedom of Information Act (foia) request with the full record and documentation, evidence, applications and related materials. The full record is necessary to brief this appeal.

Gomez moves the Board reset the briefing schedule AFTER counsel receives the response to the FOIA for the full record, which was expeditiously filed.

This is a very meritorious case in which counsel can tell from the IJ decision that Mr. Gomez met the physical presence and moral character requirements. So, counsel must see the hardship evidence presented to assess the appellate arguments. The client did not keep good records and I cannot responsibly take a risk of working with an incomplete record on appeal.

Respondent requests that briefing not be reset until the record of proceedings are made complete pursuant to 8 U.S.C. § 1229a(b)(4)(C) amended by PL 109-162; 8 C.F.R. § 1003.5; 8 C.F.R. § 1240.9 the full record via FOIA.

The government failed to meet its obligation to prepare a reasonably accurate and complete record of the removal hearing upon Respondent's appeal from the IJ's order. *See* 8 U.S.C. § 1229a(b)(4)(C) amended by PL 109-162; 8 C.F.R. § 1003.5; 8 C.F.R. § 1240.9. Due process demands a reasonably accurate and complete record of proceedings to allow for meaningful appellate review and to allow the alien to mount a challenge to the proceedings conducted before the IJ.

The full record is necessary for me to formulate legal arguments. "To prevail on a due process challenge to deportation proceedings, [an alien] must show error and substantial prejudice." *Gishta v. Gonzales*, 404 F.3d 972, 979 (6th Cir. 2005) (quotation omitted).

GOMEZ CAMARENA, Juan Antonio. A#088-454-835

B. MOTION TO REMAND BASED ON NEW EVIDENCE CONTRIBUTING TO EXCEPTIONAL AND EXTREMELY UNUSUAL HARDSHIP FOR CANCELLATION OF REMOVAL THAT WAS NOT PREVIOUSLY AVAILABLE AND CAUSED BY THE COVID19 PANDEMIC

Mr. Gomez also asks for a remand to present new hardship on his U.S. citizen qualifying relatives as a result of previously unavailable evidence and the Covid19 pandemic. This will be fleshed-out for further fact-finding before the Immigration Judge. See the following exhibits (summarized in annotation form):

EXHIBIT 4: U.S. State Department's Overseas Security Advisory Council ("OSAC") – *COVID in Mexico: Security Implications*, April 15, 2020.

- Mexico has responded far slower to the COVID 19. There are no mandatory quarantine policies currently in effect for confirmed or suspected cases.
- The federal government did not carry enough COVID-19 tests.
- As other countries saw a fall in crime as the virus spread, Mexico registered its highest-ever number of monthly homicides in March, with more than 2,500.
- For the drug cartels, turf warfare continues to rage despite the pandemic. Armed criminals in the southern Mexican state of Quintana Roo gunned down one Mexican mayor after he blocked the roads to his town to prevent the spread of the coronavirus. Measures to contain the coronavirus have also led to a spike in looting.
- Mexico's health system could be overwhelmed if people did not practice social distancing measures. There is a shortage of medical staff, testing kits, face masks, and ventilators. Even before coronavirus, Mexico needed 195,000 more doctors and 730,000 more nurses.

EXHIBIT 5: U.S. State Department's Overseas Security Advisory Council ("OSAC") - *Understanding Mexico's COVID-19 "Stoplight" System*

- Mexico has gradually eased its social distancing guidelines, despite continually registering new cases and suffering from one of the highest COVID-related death rates in the world.
- Continued ambiguity around the actual number of cases and regional variations in enforcement of restrictions will require private-sector security managers to maintain flexibility in adapting to frequent changes on the ground in Mexico.
- Mexico's COVID-19 diagnostic tests at a lower rate per capita than most other countries. Nearly half of all administered tests yield positive results, the highest official rate of positive results per test in the world.
- Mexico tests only three people per 100,000.
- The stoplight system is a weekly monitoring program that tracks each state on four COVID-19 indicators: the trend in new cases, hospital occupancy trends, current hospital occupancy rates, and the percentage of confirmed positive cases. The system assigns colors to states – red, orange, yellow, and green – based on the severity of these indicators, with different guidance for restrictions on economic activity based on color.
- As of the writing of this report, there has been 390,500 cases and 43,000 deaths: 11% death rate.

EXHIBIT 6: U.S. State Department's Overseas Security Advisory Council ("OSAC") – *Crime in Latin America During COVID-19*, May 26, 2020.

- Coronavirus has jeopardized criminal groups' main sources of income, particularly drug trafficking. Criminal organizations across the region are adapting to the lockdown by turning to different crimes such as fraud, virtual kidnapping, and cybercrime to make up for lost profits.
- Criminals are shifting their tactics, resulting in a spike in theft of medical equipment, cybercrime, and fraud. Thefts of coronavirus diagnostic tests, ventilators, and personal protective equipment have shot up across Latin America amid the pandemic.

GOMEZ CAMARENA, Juan Antonio. A#088-454-835

EXHIBIT 7: El Universal - *Several states unhappy with federal government's stoplight system, May 30, 2020.*

- Jalisco Governor Enrique Alfaro was one of several governors that opposed the federal government's "stoplight" policy, which depicts almost the entire country in maximum risk. Out of 31 states, only Zacatecas had better ranking. The other states are designated as "red" zone and only essential activities are permitted.
- The Deputy Health Minister Hugo Lopez-Gatell explained that if a state scored red on any one indicator during a given week, it would be given the red designation. Enrique Alfaro announced that his states should not be given "red" status since only one of the four indicators was red.
- Enrique Alfaro questioned the federal government's stoplight system by declaring that the system has a political purpose of holding the states responsible for the dead. Seven other governors agreed and opposing the stoplight system in that overall assessment would match the highest indicator.
- Stoplight system is a huge restriction against states that are trying to balance between economic recovery and the risk of coronavirus spread.

EXHIBIT 8: Center for Strategic & International Studies (CSIS) - *The Mexican Government's Response to COVID-19 is Insufficient, April 8, 2020.*

- The Mexican government's response is contradictory because President López Obrador refuses to follow and call for social distancing measures.
- At his morning press conference earlier this week, President López Obrador dug out his prayer card, a \$2 bill given to him by a migrant and a four-leaf clover given to him by a supporter. He held them up for journalists and the world to see and referred to the items as the "bodyguard" that would protect him. He also said he possessed a protective shield of honesty and called on Jesus Christ and religion for strength.

Exhibit 9: <https://wwwnc.cdc.gov/travel/notices/covid-4/coronavirus-mexico>
CDC Travel Warning

Level 4: Very High Level of COVID-19 in Mexico

Key Information for Travelers to Mexico

Travelers should avoid all travel to Mexico.

Level 4 is the highest alert level of the CDC. Mexico is at Level 4.

Page last reviewed December 2, 2020 (bottom of pdf).

Thank you for your kind attention to providing the complete record and then resetting the briefing schedule; as well as the motion to remand due to additional hardship due to the pandemic. If you should have any questions, please do not hesitate to contact me at (248) 932-0990.

Very truly yours,



George P. Mann

GOMEZ CAMARENA, Juan Antonio. A#088-454-835

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing letter was e-served on ICE on December 31, 2020 to ICE Office of Chief Counsel that is located at the following address:

Office of Chief Counsel
333 Mount Elliott Street
Detroit, Michigan 48207



Dated this December 31, 2020

George P. Mann
Law Offices of George P. Mann & Associates, P.C.
33505 W. Fourteen Mile Rd., Suite 20
Farmington Hills, Michigan 48331
Telephone: (248) 932-0990

**Notice of Entry of Appearance as Attorney
 or Representative Before the Board of
 Immigration Appeals**

(Type or Print) NAME AND ADDRESS OF REPRESENTED PARTY			ALIEN ("A") NUMBER (Provide A-number of the party/parties represented) A 088-454-835
Juan	A	Gomez Camarena	
(First)	(Middle Initial)	(Last)	
7564 Orleans Ave E			USCIS Visa Petition Appeal (Provide beneficiary name and A-number)
(Number and Street)		(Apt. No.)	
Sterling Height	MI	48314	Fine (Provide fine number)
(City)	(State)	(Zip Code)	Disciplinary case (Provide docket number)

Attorney or Representative (please check one of the following):

- I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest court(s) of the following states(s), possession(s), territory(ies), commonwealth(s), or the District of Columbia (use additional space on reverse side if necessary), and I am not subject to any order disbaring, suspending, enjoining, restraining or otherwise restricting me in the practice of law in any jurisdiction (if subject to such an order, do not check this box and explain on reverse).
Full Name of Court Michigan **Bar Number (if applicable)** p24888
- I am a representative accredited to appear before the Executive Office for Immigration Review as defined in 8 C.F.R. § 1292.1(a)(4) with the following recognized organization:

- I am a law student or law graduate of an accredited U.S. law school as defined in 8 C.F.R. § 1292.1(a)(2).
- I am a reputable individual as defined in 8 C.F.R. § 1292.1(a)(3).
- I am an accredited foreign government official, as defined in 8 C.F.R. § 1291.1(a)(5), from _____ (country).
- I am a person who was authorized to practice on December 23, 1952, under 8 C.F.R. § 1292.1(b).

Attorney or Representative (please check one of the following):

- I hereby enter my appearance as attorney or representative for, and at the request of, the party named above.
- EOIR has ordered the provision of a Qualified Representative for the party named above, and I appear in that capacity.

I have read and understand the statements provided on the reverse side of this form that set forth the regulations and conditions governing appearances and representations before the Board of Immigration Appeals. By signing this form, I consent to publication of my name and any findings of misconduct by EOIR, should I become subject to any public discipline by EOIR pursuant to the rules and procedures at 8 C.F.R. 1004.101 *et seq.* I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

SIGNATURE OF ATTORNEY OR REPRESENTATIVE	EOIR ID NUMBER	DATE
<input checked="" type="checkbox"/> //s//, GEORGE PETER MANN	FR598295	12/21/2020

NAME OF ATTORNEY OR REPRESENTATIVE, ADDRESS, FAX & PHONE NUMBERS, & EMAIL ADDRESS

Name: George P Mann
 (First) (Middle Initial) (Last)

Law Firm: George P.Mann & Assoc., P.C.

Address: 33505 W. 14 Mile Rd., Ste 20
 (Number and Street) (Suite)

Farmington Hills MI 48331
 (City) (State) (Zip Code)

Telephone: 248-932-0990 Facsimile: _____ Email: gpmann@greencard-us.com

Check here if new address

Indicate Type of Appearance:

Primary Attorney/Representative Non-Primary Attorney/Representative

I am providing pro bono representation. Check one: yes no

Proof of Service

I (Name) George Peter Mann provided a copy of this Form EOIR-27 on (Date) 12/21/2020

to the DHS (U.S. Immigration and Customs Enforcement – ICE) at 333 Mt. Elliott St., Room 204, Detroit, MI 48207

DHS (U.S. Citizenship and Immigration Services – USCIS) at _____

EOIR Disciplinary Counsel at _____

X //s//, GEORGE PETER MANN on 12/21/2020 03:59:15 PM

Signature of Person Serving

APPEARANCES - An appearance for each represented party shall be filed on a separate Form EOIR-27 by the attorney or representative appearing in each appeal or motion before the Board of Immigration Appeals (“BIA”) (see 8 C.F.R. § 1003.38(g)), even though the attorney or representative may have appeared in the case before the Immigration Judge or the U.S. Citizenship and Immigration Services. For information on how to file a Form EOIR-27, please see the BIA *Practice Manual* on the EOIR website at www.justice.gov/eoir. If information is omitted from the Form EOIR-27 or it is not properly completed, the appearance may not be recognized, and the accompanying filing may be rejected. When an appearance is made by a person acting in a representative capacity, his/her personal appearance or signature constitutes a representation that, under the provisions in 8 C.F.R. part 1003, he/she is authorized and qualified to represent individuals and will comply with the EOIR Rules of Professional Conduct in 8 C.F.R. § 1003.102. Thereafter, substitution or withdrawal may be permitted upon approval by the BIA of a request of the attorney or representative of record in accordance with *Matter of Rosales*, 19 I&N Dec. 655 (1988). Appearances for limited purposes are not permitted. See *Matter of Velasquez*, 19 I&N Dec. 377, 384 (BIA 1986). **Note:** Attorneys and Fully Accredited Representatives must register with the EOIR eRegistry online at www.justice.gov/eoir in order to practice before the BIA (see 8 C.F.R. § 1292.1(f)), and must first update their address in eRegistry before filing a Form EOIR-27 that reflects a new address.

FREEDOM OF INFORMATION ACT - This form may not be used to request records under the Freedom of Information Act or the Privacy Act. The manner of requesting such records is in 28 C.F.R. §§ 16.1-16.11 and appendices. For further information about requesting records from EOIR under the Freedom of Information Act, see How to File a Freedom of Information Act (FOIA) Request With the Executive Office for Immigration Review, available on EOIRs website at www.justice.gov/eoir.

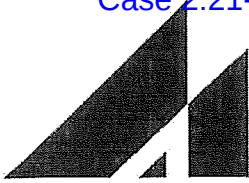
PRIVACY ACT NOTICE - The information requested on this form is authorized by 8 U.S.C. § 1362 and 8 C.F.R. § 1003.3 in order to enter an appearance to represent a party before the Board of Immigration Appeals. The information you provide is mandatory and required to enter an appearance. Failure to provide the requested information will result in an inability to represent a party or receive notice of actions in a proceeding. EOIR may share this information with others in accordance with approved routine uses described in EOIRs system of records notice, EOIR-001, Records and Management Information System, 69 Fed. Reg. 26,179 (May 11, 2004), or its successors and EOIR-003, Practitioner Complaint-Disciplinary Files, 64 Fed. Reg. 49237 (September 1999).

CASES BEFORE EOIR - Automated information about cases before EOIR is available by calling (800) 898-7180 or (304) 625-2050 or online under Find Case Information on the EOIR website at www.justice.gov/eoir.

ADDITIONAL INFORMATION:

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to review the form, gather necessary materials, and assemble the attachments is 2 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Executive Office for Immigration Review, Office of the General Counsel, 5107 Leesburg Pike, 26th Floor, Falls Church, Virginia 22041.

EXHIBIT 1



**GEORGE P. MANN
& ASSOCIATES**
IMMIGRATION & NATIONALITY LAWYERS

33505 W. 14 MILE ROAD, SUITE 20, FARMINGTON HILLS, MI 48331

248.932.0990

WWW.GREENCARD-US.COM

RETAINER AGREEMENT FOR LEGAL SERVICES

I (We), the undersigned(s), hereby retain the Law Offices of George P. Mann & Associates, P.C. of 33505 W. Fourteen Mile Rd., Ste. 20 in Farmington Hills, MI 48331 to represent me (us) in connection with the following matter(s) and/or proceeding(s) before any government agency(ies) connected with this case.

Nature of Matter and/or Proceeding / Services to be performed: LEGAL ASSISTANCE WITH TAKING OVER A PENDING APPEAL TO THE BIA AND SEEKING A NEW DATE FOR SUBMISSION OF THE BRIEF ON APPEAL AS THE DUE DATE FOR THE APPEAL WAS ON DECEMBER 11, 2020.

The agreed upon **PROFESSIONAL FEES** for this CASE shall be: **\$5000.**

Additional expenses or filing fees to the Department of Homeland Security/EOIR for any application or petition shall be paid by the client prior to the time of filing. **FILING FEES AND EXPENSES shall be: \$70 FOR ADMINISTRATIVE COSTS.**

INITIAL PAYMENT (NON-REFUNDABLE): \$2500 PLUS \$70 COSTS.

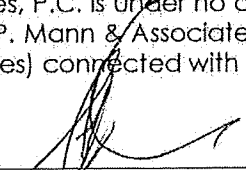
BALANCE: \$2500.

BALANCE DUE: WHEN BIA ISSUES A NEW DUE DATE FOR THE APPEAL BRIEF, OR IF A SUBMITTED BRIEF WILL BE TAKEN IN CONSIDERATION BY THE BIA.

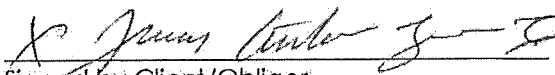
THIS RETAINER AGREEMENT DOES NOT BECOME EFFECTIVE UNTIL INITIAL PAYMENT IS PAID IN FULL.

If a matter and/or proceeding requires an appeal or additional services, the fee for the representation will be determined at that time. Our representation is based upon the facts represented to us, and I (we) accept the obligation to disclose correct facts and information about the case, and to update such facts as needed.

I (we), hereby guarantee the payment of the said fee to abide by the terms and conditions of the said payment schedule. All legal fees that may be granted by the government in this case, I hereby assign to GEORGE P. MANN & ASSOCIATES, P.C. If I (we) do not abide by the terms and conditions of the said payment schedule, it is my (our) understanding that the Law Offices of George P. Mann & Associates, P.C. is under no obligation to continue work until paid; or in alternative the Law Offices of George P. Mann & Associates, P.C. may elect to withdraw its representation before any government agency(ies) connected with this case.



Signed by Attorney
GEORGE P. MANN
12/21/2020



Signed by Client/Obligor
JUAN ANTONIO GOMEZ-CAMARENA
12/21/2020

EXHIBIT 2



GEORGE P. MANN
& ASSOCIATES
IMMIGRATION & NATIONALITY LAWYERS

Elona Farkas <efarkas@greencard-us.com>

Juan Antonio Gomez Camarena-A# 088-454-835

1 message

Elona Farkas <EFarkas@greencard-us.com>

Tue, Dec 22, 2020 at 11:35 AM

To: EOIR.FOIARequests@usdoj.gov, 75d771614+matter1254346054@maildrop.clio.com

We are respectfully submitting a FOIA request on behalf of Juan Antonio Gomez Camarena. Please see Form DOJ-361, certification of identity and EOIR-27 attached.

We hope that you can honor our request in an expeditious manner.
Thank you for your attention to this matter,

Sincerely,

Elona Farkas
Paralegal



GEORGE P. MANN
& ASSOCIATES
IMMIGRATION & NATIONALITY LAWYERS

WE LIVE THE IMMIGRANT EXPERIENCE

33505 Fourteen Mile Rd., Suite 20
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(248) 932-0990 Fax: (248) 932-4971
www.greencard-us.com
Direct Line: 248-438-4068

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2 attachments

 **DOJ 361.pdf**
83K



Maris J. Liss <mliss@greencard-us.com>

Fwd: DOJ-EOIR FOIA Request # 2021-11399

1 message

George P. Mann <GPMann@greencard-us.com>
To: All-Office <All@greencard-us.com>

Thu, Dec 31, 2020 at 11:04 AM

GEORGE P. MANN
Attorney & Counselor



33505 Fourteen Mile Rd., Suite 20
Farmington Hills, MI 48331
(248) 932-0990 Fax: (248) 932-4971
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----- Forwarded message -----
From: <eoir.foiarequests@usdoj.gov>
Date: Thu, Dec 31, 2020 at 10:42 AM
Subject: DOJ-EOIR FOIA Request # 2021-11399
To: <gpmann@greencard-us.com>

Re: 2021-11399
Freedom of Information Act Request for GOMEZ-CAMARENA, JUAN ANTONIO

Dear George P. Mann,

This response acknowledges receipt of your Freedom of Information Act (FOIA) request by the Executive Office for Immigration Review (EOIR) dated 12/22/2020 and received 12/22/2020. Your request has been assigned control number 2021-11399.

Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be significant delay in the processing of your request. If your request is for a Record of Proceeding (ROP), those records ordinarily reside in individual hard-copy Record of Proceeding files located in one of the 63 EOIR Immigration Courts or 15 Federal Records Centers long-term storage facilities geographically located throughout the United States or its territories. Currently, the Immigration Courts and the Federal Records Centers are operating at limited capacity with limited staff and/or are closed due to COVID-19. To check on current operating status for EOIR's Immigration Courts or NARA's Federal

Records Centers, please visit <https://www.justice.gov/eoir-operational-status> and <https://www.archives.gov/frc/operating-status>.

If you have filed a fee waiver request, EOIR will address the fee waiver in a separate letter. Most requests for records of proceedings do not require any fees; however, if the fees for processing the request are estimated to exceed \$25.00, EOIR will notify you before processing the request to determine whether you will commit to paying the fee or whether you wish to narrow the scope of your request to reduce the fee. Fees may be charged for searching records at the rate of \$4.75 (administrative)/\$10.00 (professional) per quarter hour, and for duplication of copies at the rate of \$.05 per copy. The first 100 copies and two hours of search time are not charged, and charges must exceed \$25.00 before we will charge a fee.

The FOIA requires an agency to respond within 20 working days after receipt of the request, and EOIR endeavors to meet this standard. The FOIA permits a ten-day extension of this time period, pursuant to 5 U.S.C. § 552(a)(6) (B), based on unusual circumstances. Your request involves “unusual circumstances,” and EOIR is extending the time period to respond by an additional 10 working days because your request requires the collection of records from field offices, or involves a search, collection, and review of voluminous records, or requires consultation with another agency or two or more agency components.

EOIR FOIA requests are placed in one of three tracks. Track one is for those requests that seek and receive expedited processing pursuant to subsection (a)(6)(E) of the FOIA. Track two is for simple requests that do not involve voluminous records or lengthy consultations with other entities. Track three is for complex requests that involve voluminous records and for which lengthy or numerous consultations are required, or those requests that may involve sensitive records. As a matter of default, your request has been placed in track two for simple requests. If you have requested expedited processing, EOIR will contact you in a separate letter.

If you have any questions regarding unusual circumstances, you may contact the EOIR FOIA Service Center or FOIA Public Liaison at (703) 605-1297 or EOIR.FOIArequests@usdoj.gov to discuss reformulation or an alternative time frame to process your request, or for any further assistance regarding any aspect of your request. Alternatively, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,

FOIA Intake

EXHIBIT 3



Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

GOMEZ-CAMARENA, JUAN ANTONIO
7564 ORLEANS AVENUE EAST
STERLING HTS, MI 48314

DHS/ICE Office of Chief Counsel - DET
333 Mt. Elliott St., Rm. 204
Detroit, MI 48207

Name: GOMEZ-CAMARENA, JUAN ANTONIO

A 088-454-835

Type of Proceeding: Removal

Date of this notice: 11/20/2020

Type of Appeal: Case Appeal

Filed By: Alien

NOTICE -- BRIEFING SCHEDULE

- o Enclosed is a copy of the decision of the Immigration Judge.
- o Enclosed is a copy of the transcript of the testimony of record.
- o Appealing party is granted until 12/11/2020 to submit a brief to the Board of Immigration Appeals. The brief must be RECEIVED at the Board on or before this date.
- o Opposing party is granted until 1/4/2021 to submit a brief to the Board of Immigration Appeals. The brief must be RECEIVED at the Board on or before this date.

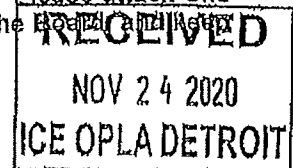
WARNING: If you indicate on the Notice of Appeal (Form EOIR-26) that you will file a brief or statement, you are expected to file a brief or statement in support of your appeal. If you fail to file a brief or statement within the time set for filing in this briefing schedule, the Board may summarily dismiss your appeal. See 8 C.F.R. § 1003.1(d)(2)(i)(E).

If you are an alien and you received this notice, you are not represented by an attorney or accredited representative. An attorney or accredited representative must file a Notice of Entry of Appearance (Form EOIR-27) to represent you. 8 C.F.R. §§ 1003.3(a)(3) and 1003.38(g). Until a Form EOIR-27 is received, you are responsible for submitting a brief, and any submissions by anyone other than you will be rejected.

FILING INSTRUCTIONS -- In General.

IMPORTANT: Briefs and other submissions should always be paginated. Parties must limit the body of their briefs or motions to 25 pages. If a party believes it cannot adequately dispose of the issues in the case within the page limit, the party should file the brief along with a motion to increase the page limit. See Chapter 3.3(c)(iii) (Number of pages) and 4.6(b) (Brief writing guidelines) of the Board's Practice Manual.

The Board of Immigration Appeals has included two copies of this notice. Please attach one copy of this notice to the front of your brief when you mail or deliver it to the Board and Retty



one for your records. Thank you for your cooperation.

A fee is not required for the filing of a brief. Your brief must be RECEIVED at the Clerk's Office at the Board of Immigration Appeals within the prescribed time limits. It is NOT sufficient simply to mail the brief and assume your brief will arrive on time. We strongly urge the use of an overnight courier service to ensure the timely filing of your brief.

If you have any questions about how to file something at the Board, you should review the Board's Practice Manual at www.justice.gov/eoir.

Proof of service on the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals – including correspondence, forms, briefs, motions, and other documents. If you are the Respondent or Applicant, the "Opposing Party" is the District Counsel for the DHS or the Director for HHS/ORR at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service on the opposing party will be rejected.

FILING ADDRESS:

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

Business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Use of an overnight courier service is strongly encouraged to ensure timely filing.

FILING INSTRUCTIONS -- Extension Request.

Extension requests must be RECEIVED at the Board on or before the expiration of the initial briefing schedule. Requests for extension of briefing time received after expiration of the initial briefing schedule, will not be granted.

Unless you receive a Board Notice granting your extension request, your brief will remain due on the date stated above.

Extensions of briefing time are not favored and will only be granted for good cause. Requests filed on the same day as a brief is due are particularly disfavored and will only be granted in the most compelling circumstances. All extension requests must be in writing. Telephonic or fax requests will not be accepted.

A second briefing extension request will not be granted, except in extraordinary circumstances.

WingleTE
UserTeam:CPT

EXHIBIT 4



Overseas Security Advisory Council
Bureau of Diplomatic Security
U.S. Department of State

Average Rating



4/15/2020 | OSAC Analysis

347 all time - 0 last 7 days 4.00 Average rating

COVID in Mexico: Security Implications

Introduction

As its neighboring countries closed their borders, Mexico has responded far slower to the COVID-19 pandemic. Its leaders have been reluctant to put fiscal constraints on an already sluggish economy, in which 40% of the population live in poverty. As of this writing, there are no mandatory quarantine policies currently in effect in Mexico for confirmed or suspected cases. The federal government continues to face criticism for its response to the coronavirus pandemic, even though it declared a health emergency on April 6, stipulating stricter measures to contain the spread of the disease. However, experts believe that Mexico is acting too late and not carrying out enough COVID-19 tests to prevent a widespread outbreak. Without federal authorities enforcing stay at home orders, and with millions of Mexicans unable to support themselves if they do not go out to work, it remains to be seen how effective the emergency declaration measures will be.

Crime on the rise

As other countries saw a fall in crime as the virus spread, Mexico registered its highest-ever number of monthly homicides in March, with more than 2,500. The country is poised to break last year's record of more than 35,000 murders. For the country's drug cartels, turf warfare continues to rage despite the pandemic. On the first weekend in April, a shoot-out between rival drug gangs left 19 people dead in Ciudad Madero in the state of Chihuahua. Pressure continues to build as the lockdown measures negatively impact the cartels' ability to move their product. Armed criminals in the southern Mexican state of Quintana Roo gunned down one Mexican mayor after he blocked the roads to his town to prevent the spread of the coronavirus, effectively shutting off the area the gang used to ship drugs. If the travel restrictions continue, the cartels could possibly turn to other acts of criminality such as kidnapping, cargo theft, and extortion for quick financial gains. Conversely, some cartels have taken on a humanitarian role, delivering food and supplies to desperate residents in high-crime states like Michoacán and Tamaulipas to win popular support. On April 5, packages of food labeled with CDG (for the Gulf Cartel) were distributed in Ciudad Victoria, with pictures of the boxes published on social media. The State Department's existing [Travel Advisory for Mexico](#) notes that travelers should increase caution nationwide because of crime. Increased threat levels exist for 16 different Mexican states due to criminality, including Level 4 Advisories for five different states, indicating areas to which U.S. nationals should not travel.

Over the last few weeks, measures to contain the coronavirus outbreak have also led to a spike in looting, mainly in Mexico City, the State of Mexico, Oaxaca, and Puebla. Criminals have robbed closed stores and posted calls on social media and instant messaging platforms for people to ransack businesses. These groups are not looting out of necessity, choosing to steal electrical appliances, money, and jewelry. The Secretary of Citizen Security (SSC) reported arresting 109 people for robberies and looting in commercial establishments in Mexico City during the state of emergency, with arrests registered in 12 of the 16 boroughs. The government sees this as only the first phase of a COVID-19 crime wave, and believes that as it restricts movement and people start to feel the effects of a paralyzed economy, they will become more desperate and start stealing products of necessity, such as food and medicine.

A Healthcare System under Strain

Mexican officials have repeatedly warned that Mexico's health system could be overwhelmed if people did not practice social distancing measures. The Health Ministry estimates there are more than 26,000 people with COVID-19 in Mexico, a figure more than eight times higher than the number of confirmed cases of the virus in the country. The governors of nine states lamented that they have only received their standard allocation of healthcare funding despite the growing pandemic. In addition to asking for extra funding from the federal government, the governors said that they need more testing kits, face masks for medical personnel, and ventilators to treat coronavirus patients with life-threatening symptoms.

Meanwhile, the country is facing the coronavirus pandemic with a shortage of medical staff. In July 2019, the Health Ministry announced that Mexico needed 195,000 more doctors and 730,000 more nurses to meet the country's medical needs, and those numbers were pre-coronavirus. In addition to having the lowest quantity of medical personnel relative to population in the region, nurses and doctors are severely underpaid. A 2019 Physician Compensation Report from the website Medscape revealed that Mexican doctors earn about one-third of what doctors make in countries like Brazil and Italy, and 14 times less than doctors in the United States. Nurses, meanwhile, are one of the poorest paid professions in Mexico, earning less on average than veterinarians and musicians. Adding to an already dire situation, medical professionals have recently been the target of harassment and physical

aggression, moving authorities to speak but publicly. This is particularly the case in Guadalajara, where harassment of medical personnel has become a daily occurrence. Recently, a hospital in the western city asked its doctors and nurses to wear civilian clothes to and from work because some public buses were refusing to pick them up. Nurses have reported having bleach solutions thrown at them, and someone threw a flammable liquid on the doors of a new hospital under construction in the state of Nuevo Leon.

Private-Sector Implications

Instances of looting have decreased in recent days, but could easily reappear with another call from social media sources. Most of the looting appears to be opportunistic and targeting consumer goods rather than food items or basic necessities; OSAC members are not reporting shortages of necessary items due to criminality or supply-chain issues. U.S. businesses and nationals have not been the targets of looting as of yet. At any one time, there are more than 3.5 million U.S. citizens in Mexico, along with the presence of thousands of U.S. private-sector organizations. The U.S. Department of State rates Mexico City and many other cities across the country as critical-threat locations for the threat of criminality against official U.S. interests; likewise, the likelihood of a U.S. traveler or U.S. private-sector interests becoming involved in criminality across the country is also quite high.

The Mexican Ministry of Education has closed all schools until April 30, and has suspended non-essential activities in the public, private, and social sectors. Essential activities include medical services and supplies, public safety, fundamental economic functions, government social programs, and critical infrastructure. States and municipalities may implement additional closings and restrictions on public gatherings, transportation, business operations, and government operations. Several states and municipalities have imposed curfews and movement restrictions on non-essential activities.


International commercial flight options currently exist in Mexico, and airports remain open. U.S. citizens who wish to return to the United States should make commercial arrangements as soon as possible unless they are prepared to remain abroad for an indefinite period. The U.S. government does not anticipate arranging repatriation flights in Mexico at this time.

Further Information


For more information on criminality in Mexico or the country's response to the COVID-19 crisis, contact OSAC's Latin America Team and consult the following resources:


- OSAC [Mexico country page](#)
- OSAC Crime & Safety Reports for Mexico:
 - [Ciudad Juarez](#)
 - [Guadalajara](#)
 - [Hermosillo](#)
 - [Matamoros](#)
 - [Mérida](#)
 - [Mexico City](#)
 - [Monterrey](#)
 - [Nogales](#)
 - [Nuevo Laredo](#)
 - [Tijuana](#)
- [OSAC COVID-19 \(Coronavirus\) Outbreak Resources & Regional Updates](#)
- [State Department Travel Advisory for Mexico](#)

Attachments


 [OSAC - COVID Implications Mexico.pdf](#) ↓

Related Content



 [COVID-19 \(Coronavirus\) Outbreak Resources & Regional Updates](#)

2/28/2020 | Announcement



The contents of this (U) report in no way represent the policies, views, or attitudes of the United States Department of State, or the United States Government, except as otherwise noted (e.g., travel advisories, public statements). The document was compiled from various open sources and (U) embassy reporting. Please note that all OSAC products are for internal U.S. private sector security purposes only. Publishing or otherwise distributing OSAC-derived information in a manner inconsistent with this policy may result in the discontinuation of OSAC support.

EXHIBIT 5



Understanding Mexico's COVID-19 "Stoplight" System



Introduction

After ending a nationwide COVID-19 lockdown that began at the end of March, Mexico has gradually eased its social distancing guidelines, despite continually registering new cases and suffering from one of the highest COVID-related death rates in the world. In order to standardize guidance for the reopening of non-essential business and the use of public spaces, the Mexican government implemented the national "stoplight" system on June 1, which determines the extent to which public spaces are available for use in accordance with local COVID-19 trends, and establishes metrics that each state must meet prior to moving to the next stage of reopening.

While the "stoplight" system marks an improvement in Mexico's efforts to manage the coronavirus given its initial reluctance to adopt mandatory quarantines, experts have previously argued that Mexico's delayed measures and unclear messaging set the stage for the current state of affairs in the country. Continued ambiguity around the actual number of cases and regional variations in enforcement of restrictions will require private-sector security managers to maintain flexibility in adapting to frequent changes on the ground in Mexico.

Background

Latin America has become the epicenter of the COVID-19 pandemic this summer, being home to roughly 10% of the world's population but nearly half of the daily global death toll. With nearly one sixth of the region's population and dense urban areas, Mexico has been among the hardest hit countries in the region. The number of confirmed and suspected cases continues to grow daily, and actual cases are likely higher than officially reported given that the country administers COVID-19 diagnostic tests at a lower rate per capita than most other countries with significant outbreaks. Nearly half of all administered tests yield positive results, the highest official rate of positive results per test in the world.

Mexico tests approximately three people per 100,000, with targeted testing only of high-risk populations and those who display symptoms. While this protocol contributes to the inflated rates of positive results, it also means that mild and asymptomatic cases—which have been demonstrated to possess similar likelihood of spreading the disease as more severe cases—largely fly under the radar. Such limited testing is likely a result of the government's attempts to avoid what it sees as unnecessary spending and minimize lockdowns to limit economic impact. However, it also means that monitoring systems will likely underestimate the actual extent of the virus's presence.

What is the Stoplight System?

The "Stoplight" System (*Semáforo* in Spanish), first implemented on June 1, is a weekly monitoring program that tracks each state on four COVID-19 indicators: the trend in new cases, hospital occupancy trends, current hospital occupancy rates, and the percentage of confirmed positive cases. The system assigns colors to states—red, orange, yellow, and green—based on the severity of these indicators, with different guidance for restrictions on economic activity based on color. Each state color is based on the most severe indicator value, meaning that if any one indicator in a state is red, the entire state is designated as red. The government updates state-level designations every Friday, with revisions taking effect the following Monday.



Understanding Mexico's COVID-19 "Stoplight" System



Below is an overview of what each color assignment means for any given state:

Red (*Rojo*): Only essential economic activities may proceed. People may walk in the vicinity of their homes during the day while maintaining distancing from others. Non-essential movement is restricted at nighttime.

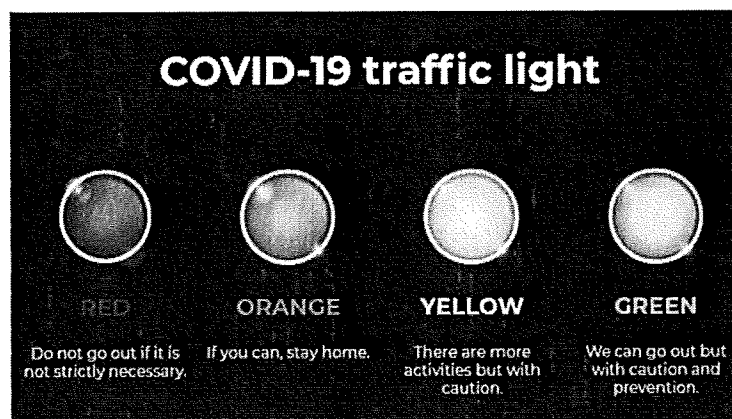
- Essential activities include provision of medical services and supplies, grocery delivery services, operation of grocery stores, restaurant delivery and carryout services, assurance of public safety, maintenance of fundamental economic functions and government social programs, work in critical infrastructure, construction, and manufacturing of transportation equipment.
- Hotels may not exceed 25% occupancy for guests working on critical activities.
- Parks and similar public spaces may not exceed 25% occupancy.

Orange (*Naranja*): In addition to essential activities, companies with non-essential activities may conduct operations with 30% of their personnel, taking precautions with high-risk individuals and those with severe symptoms. People should still stay in their homes as much as possible.

- Hotels, restaurants, barbershops, open-air parks, and gyms may not exceed 50% capacity.
- Markets and supermarkets will operate at 75% capacity.
- Shopping centers, churches, cinemas, theaters, museums, and certain cultural events may not exceed 25% capacity.

Yellow (*Amarillo*): All work activities may proceed, with special precautions recommended for high-risk individuals.

Green (*Verde*): All activities, including school activities, may proceed.



This federal system has not been without criticism. When the federal government released the first designations on June 1, several state leaders—particularly the governors of Colima, Michoacán, Durango, Nuevo León, Coahuila and Tamaulipas—voiced opposition to the criteria, particularly that overall assessment would match the highest indicator.



Understanding Mexico's COVID-19 "Stoplight" System

Regional Variances

While the above are the federal guidelines, individual states and municipalities have implemented additional restrictions as health conditions have warranted. In different states, one can expect differences in the enforcement of mask wearing and limited occupancy of vehicles, for example, as well as curfews and fines for non-compliance. In the state of Nuevo León for example, the state government will administer fines of up to \$35,000 MXN or three years of jail for people diagnosed with COVID-19 who fail to quarantine at home or in hospitals. In states like Sinaloa, restrictions vary considerably by municipality, with the cities of Culiacán and Mazatlán setting up sanitary checkpoints at city limits. In San Luis Potosí, stay-at-home orders are in place for people with risk factors like high blood pressure, although fines are not formally established for violations of these orders.

Find a comprehensive list of restrictions placed by individual states and municipalities, which are subject to change under the "Local Resources" section of the U.S. Embassy & Consulates in Mexico's [COVID-19 Information for U.S. Citizens in Mexico](#) page.

Current Figures

As of the writing of this report, Mexico's [National Agency of Science and Technology](#) has confirmed roughly 390,500 cases and 43,000 deaths, representing a death rate of roughly 11%. The death rate of patients whose cases require hospitalization is especially alarming, with a 36% countrywide average of deaths following hospitalization. In the states of Baja California and Guerrero, the death rates of hospitalized patients are roughly 50% and 47% respectively. The highest numbers of reported cases and hospital occupancies are in central and southern Mexico, although this may be due to the high concentration of people in urban areas with easier access to tests.

The federal government reevaluates the "stoplight" monitoring system every week, meaning security managers can trust they're getting the most updated information available, helping ease organizational and personnel concerns alike. However, the designations of each state are likely to change as infection and testing rates fluctuate, potentially making anything other than short-term planning much more difficult. At the time of this report's writing, for the period of July 20-26, the system has designated 18 states at red level, while 14 states are orange level. No states currently sport a yellow or green designation.

Private-Sector Implications

In addition to the "stoplight" guidance for each state, the U.S. and Mexico have agreed to limit non-essential land border crossings temporarily in an effort to contain the virus, effective through August 20. These restrictions do not apply to air and sea crossings, and most forms of travel required for business. Likewise, such travel restrictions do not prevent U.S. citizens from returning home from Mexico.



Understanding Mexico's COVID-19 "Stoplight" System

The "stoplight" system provides a quick baseline assessment of official coronavirus trends in a region, as well as federal compliance guidelines rather than 32 different state-level protocols. Given the variations in regional enforcement of the guidelines, however, it is important to remain aware of information coming from the states and municipalities in which organizations operate. Likewise, it is critical to understand that Mexico's limited testing means that confirmed case figures only account for high-risk and symptomatic individuals, meaning there is substantial risk of disease spread from unknown carriers at this time. Given this, travelers should exercise caution in accordance with international recommendations regarding social distancing and mask use.

Where Can I Find More Information?

Many details regarding the ongoing COVID-19 pandemic in Mexico are available at U.S Mission Mexico's page on [COVID-19 Information for U.S. Citizens in Mexico](#), which also displays the latest health and travel alerts and provides an updated list of information specific to each state under its "Local Resources" section. Find an overview of the "stoplight" system from the Mexican government's [coronavirus website](#) (in Spanish), and the official Mexican government statistics regarding confirmed cases at the [COVID-19 México General Information](#) page.

As always, representatives of U.S. private-sector organizations can contact OSAC directly to assess the potential impact of security issues on their organization and its interests abroad. For more information on security issues in Mexico and across Latin America, contact OSAC's [Latin America Team](#).

EXHIBIT 6



Overseas Security Advisory Council
Bureau of Diplomatic Security
U.S. Department of State

5/26/2020 | OSAC Analysis

225 all time - 6 last 7 days

Crime in Latin America during COVID-19



Overview

The spread of coronavirus has not only crippled economies around the world, but has also impacted criminal groups and their illicit revenue streams. In Latin America, the crisis has jeopardized criminal groups' main sources of income, particularly drug trafficking. Criminal organizations across the region are adapting to the lockdown by turning to different crimes such as fraud, virtual kidnapping, and cybercrime to make up for lost profits. These groups are taking advantage of the confusion, distraction, and overburdened state institutions to further their goals and increase their legitimacy. Criminal groups throughout the region are enforcing quarantine measures, handing out food and supplies, and taking similar steps to entrench themselves further in local populations. Providing these community

services—to the exclusion of the state—will lead to a more entrenched, powerful, and resilient criminal force that will prove difficult to disentangle from the population and to defeat. As a result, private-sector security managers may find that locations with crime threats already at critical levels will change, potentially sidelining entities upon which they have traditionally relied for support.

A Shift in Criminal Tactics

In Latin America, gangs and drug traffickers are feeling the effects of the pandemic. Border closures and the reduction of international air traffic have caused massive disruptions to their smuggling routes and global supply chains. In response, criminals are shifting their tactics, resulting in a spike in theft of medical equipment, cybercrime, and fraud. Thefts of coronavirus diagnostic tests, ventilators, and personal protective equipment have shot up across Latin America amid the pandemic. The most notable case occurred in São Paulo's Guarulhos Airport (GRU) in early April, when 15,000 coronavirus testing kits and over two million personal protective items went missing.

Instances of online scams, ransomware attacks, and phishing email schemes have multiplied in the region as well. During the second half of March, a malicious application called COVIDLock spread across Costa Rica. This application claimed to provide interactive maps of the spread of the virus, but instead hijacked victims' devices and demanded a ransom in the cryptocurrency bitcoin. In Chile, officials have witnessed an increase in the sale of counterfeit health and hygiene products. Meanwhile, in Uruguay, criminals have posed as health care workers and attacked health sector personnel and police officers, robbed pharmacies and grocery stores, and stolen from vacant buildings and unattended vehicles.

State Weakness and Criminal Governance

Although the gangs and criminal organizations in these countries have responded differently to the virus, many have already moved to exploit the military and policing vulnerabilities that the pandemic has revealed. In Colombia, where the government has diverted 60,000 soldiers and police to enforce the national lockdown, armed groups took advantage of the security vacuum and murdered three social leaders immediately after the announcement of quarantine measures. In El Salvador, there were 53 homicides over the last weekend in April, with 29 on that Sunday alone, a new one-day record for homicides since President Bukele assumed office last June. Officials believe imprisoned MS-13 gang-leaders ordered these murders, taking advantage of a government distracted with the COVID pandemic.

Some of these groups have taken on a broader social role and shifted their tactics to winning hearts and minds, handing out food and supplies to impoverished neighborhoods. Many Mexican cartels have set up informal welfare schemes in communities that face economic ruin from the pandemic but have received little or no help from the authorities. In many countries, criminals have taken over the role of the government and started to impose curfews. In Rio de Janeiro's favelas, the drug-trafficking Red Command gang is now imposing quarantine and social distancing measures in apparent recognition of the grave dangers represented by the pandemic, replacing state functions in poor neighborhoods and providing structure in a country where the leadership remains deeply conflicted on pandemic prevention measures. In Venezuela, pro-government armed groups known as "*colectivos*" were the first to announce lockdown measures in certain areas, even before the government or healthcare services. The actions of these criminal groups come less from a place of civic duty than an attempt to control local populations and stabilize their illicit operations. A local outbreak would be disastrous for the gangs' bottom line depends on local drug sales and extortion. Having these criminal organizations enforcing lockdown measures emphasizes the weaknesses of state institutions, and helps these groups to consolidate their control and gain valuable social capital.

More Recruits

A large number of people within Central and South America work in the informal economy, and have been particularly hard-hit by the social distancing and shelter-in-place ordinances. An economic downturn in 2020, driven by COVID-19 related paralysis, will hit these poor populations hardest. This sustained economic downturn will likely fuel gang and cartel recruitment across the region, as the growing number of the newly destitute and desperate struggle to make ends meet. During the last recession in 2008, unemployment soared, remittances declined, and violence and criminality spiked in the region. This recession could similarly push increasing numbers of people into the criminal workforce.

Private-Sector Impact

There is already a critical threat from crime in many locations across Latin America, and the private sector has long figured this reality into their regional security protocols. A mere increase in criminality may not have a major effect on organizations who are already operating with a high level of caution. Additionally, private-sector operations in Latin America (and around the world) are already at a low ebb, with many U.S.-based organizations already having repatriated much of their U.S. and third-country nationals from abroad, leaving these issues mainly to affect local-national staff, who may be more finely attuned to developments and changes in their home environments.



However, the supplanting of responsibilities normally provided by local governments with those from criminal elements has the potential to shift allegiances throughout the region, potentially upending reliable relationships that the private sector has built with local authorities. In a high-crime environment where law enforcement may have previously held the line against criminality and allowed business to proceed, for instance, organizations may have to include problems such as increased theft and violent crime (against staff) and racketeering (against the organization itself) into their plans.

Further Resources


For more information on the security environment in Latin America, contact OSAC's [Latin America team](#)  and consult the following resources:


- OSAC [Country Pages](#)
- OSAC [Crime & Safety Reports](#)
- OSAC [COVID-19 Outbreak Resources & Regional Updates](#)
- State Department [Country Information](#)

Attachments


 [OSAC - Latin America Crime COVID.pdf](#) 

Related Content



 [COVID-19 \(Coronavirus\) Outbreak Resources & Regional Updates](#)

2/28/2020 | Announcement



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EXHIBIT 7

Several states unhappy with federal government's stoplight system

Designations of Covid-19 risk levels don't reflect reality, they claim

Published on Saturday, May 30, 2020

Jalisco Governor Enrique Alfaro was one of several state leaders to voice their dissatisfaction with the federal government's new "stoplight" map which paints most of the country red, the maximum state of risk for the coronavirus.

In the 31 federal entities designated red — only Zacatecas achieved a better ranking — only essential activities will be permitted.

Publication of the map, which will be updated weekly, comes as federal coronavirus social distancing guidelines are set to be lifted on Saturday.

In a press conference Friday, Jalisco Governor Enrique Alfaro questioned the federal government's criteria, methodology and intentions. He declared that it was "absurd" that his state should be given a red designation when only one of the four indicators was red.

Those indicators are the number of active and new coronavirus cases, hospital admission trends and hospital occupancy levels. When the system was announced, Deputy Health Minister Hugo López-Gatell explained that if a state scored red on any one indicator during a given week it would be given the red designation.

Alfaro, who also claimed that federal officials had not invited state input into the designations as planned, joins the governors of Colima, Michoacán, Durango, Nuevo León, Coahuila and Tamaulipas in rejecting the traffic light classifications.

"We express our disagreement with and rejection of a red light that does not reflect the reality of our states. On the contrary, it seems that it has a political purpose, to hold the states responsible for the dead," said Michoacán's Silvano Aureoles Conejo after the seven governors met Friday in Colima.

The states are taking various approaches to easing coronavirus restrictions, weighing the balance between economic recovery and the risk of higher levels of infection and making decisions independent of the federal government.

The newspaper *El Universal* reported today what Monday's "new normal" will look like in states that have announced plans for a partial reopening.

- Aguascalientes: Some businesses will reopen but not movie theaters, bars, nightclubs or gyms.
- Baja California: The automotive, aerospace, construction and mining sectors will reopen.
- Baja California Sur: Government offices, construction and mining will start up again, but tourism will not and no date has been agreed upon.
- Campeche: Construction businesses can resume operations.

- Chiapas: Although the government continues to advocate for stay-at-home measures, some businesses opened up anyway last week, and restaurants and bars in San Cristóbal de las Casas announced they will reopen as of Monday.
- Chihuahua: The government says 30% of businesses will reopen on June 1 and follow health protocols.
- Coahuila: Partial reopenings will take place in the automotive, restaurant and other business sectors.
- Durango: Only the mining and construction industries will go back to work.
- Guanajuato: Some government offices will reopen, as will 30% of shoe and leather businesses. Plazas and shopping malls will partially reopen.
- Guerrero: The mining and construction industries will return to work.
- Jalisco: Nonessential businesses will reopen.
- Michoacán: Economic activity will resume on a partial basis.
- Nayarit: The mining and automotive industries will start up again.
- Queretaro: The aerospace, automotive and construction industries will reopen and follow health guidelines.
- Quintana Roo: The state will open for tourism on June 8.
- Nuevo León: The mining, construction, aerospace, automotive, beer and hotel industries will reopen.
- San Luis Potosí: Some businesses will partially reopen, with priority given to the manufacturing sector.
- Sinaloa: Businesses and services will gradually reopen. Decisions on opening up the tourism sector will be made on a regional level.
- Tamaulipas: Around 25% of nonessential businesses will reopen.
- Yucatán: Construction businesses will be allowed to get back to work.
- Zacatecas: Some businesses and government offices will reopen.

Source: El Universal (sp)

At Mexico News Daily we invite you to support our efforts to provide the latest Mexico news, including extensive coronavirus coverage, by [purchasing a membership](#). Plans start at a monthly cost of just US \$2.50.

EXHIBIT 8

Photo: MARIO VAZQUEZ DE LA TORRE/AFP via Getty Images

COMMENTARY

SHARE

The Mexican Government's Response to Covid-19 Is Insufficient

April 8, 2020

A version of this article was originally published

<<https://thehill.com/opinion/international/488538-the-mexican-governments-response-to-covid-19-is-insufficient>> by the Hill on March 19, 2020.

The Mexican government has been insufficient in its response to the coronavirus. With poorly communicated and inconsistent messaging that offers no clear guidelines, their federal government's inaction has given

rise to widespread rumors that are beginning to stoke panic and insecurity

<<https://mexiconewsdaily.com/news/coronavirus/panic-buying-events-called-off-before-widespread-covid-19-outbreak/>>

Given that Mexico can look to the examples of what not to do in the early onset of this crisis—namely China <<https://www.theguardian.com/science/2020/jan/27/china-coronavirus-who-to-hold-special-meeting-in-beijing-as-death-toll-jumps>> in January, Italy

<<https://time.com/5799586/italy-coronavirus-outbreak/>> in February and to a certain extent the United States <<https://www.independent.co.uk/news/world/americas/us-politics/trump-europe-travel-ban-coronavirus-oval-office-speech-a9396761.html>>

in the first days of March—one would think political leaders there would be implementing different strategies. So far, 118 cases

<<https://www.arcgis.com/apps/opsdashboard/index.html#/bda7594740fd40299423467b48e9ecf6>> have been reported in Mexico.

We have not heard strong messaging from the Mexican government to

“flatten the curve” <<https://thehill.com/changing-america/well-being/prevention-cures/487818-what-does-it-mean-to-flatten-the-curve-and-does>> in an effort to reduce rates of infection or to

practice self-isolation to mitigate transmission. President Andres Manuel López Obrador is adamant about not closing Mexico’s borders or exercising caution at airports <<https://www.usnews.com/news/world/articles/2020-03-12/mexico-not-planning-to-restrict-international-travel-health-official>>.

Perhaps his logic stems out of concerns about imposing barriers on trade. However, he has not said as much, and it is further eroding public confidence in his government’s lacking response.

So far, the lone voice of reason is coming from Undersecretary of Health Hugo López-Gatell. As a medical professional with knowledge in

epidemiology, he has given some of the most sensible and authoritative information <<https://heraldodemexico.com.mx/pais/hugo-lopez-gatell-jorge-alcocer-coronavirus/>> ON

how to tackle the coronavirus crisis <<https://www.elimparcial.com/mexico/quien-es-el-doctor-hugo-lopez-gatell-ramirez-20200315-0128.html>>. In contrast to others—most tellingly the president himself—López-Gatell conveys <<https://apnews.com/8827eb99408d535e14846f873c2f3b04>> public health recommendations through language that makes sense.

Yet, he is faced with an impossible mission because President López Obrador, who appointed him, seems to be undermining his authority <https://www.reforma.com/aplicacioneslibre/preacceso/articulo/default.aspx?__rval=1&urlredirect=https://www.reforma.com/reclaman-senadores-a-lopez-gatell-por-covid-19/ar1898763?referer=--7d616165662f3a3a6262623b727a7a7279703b767a783a-->. Setting aside the obvious public health implications <<https://www.ucsf.edu/news/2020/03/416906/why-experts-are-urging-social-distancing-combat-coronavirus-outbreak>> of not following the recommendations of health professionals, the lack of clear messaging must also be distressing to financial leaders <<https://www.elfinancierocr.com/pymes/gerencia/este-pendiente-a-lo-que-puede-hacer-su-pyme-en/okm6lypxejfbzp2zs46sdp3wbu/story/>>. If the government cannot focus on the public health aspects of this crisis, how can it ameliorate the signs of a deepening economic slowdown <<https://www.bloomberg.com/news/articles/2020-03-16/mexican-peso-slumps-to-record-low-as-fears-persist-after-fed-cut>>, assuage market fears, and exchange rate fluctuations? Businesses have started devising their own plans <<https://www.bloomberg.com/news/articles/2020-03-16/mexican-peso-slumps-to-record-low-as-fears-persist-after-fed-cut>> to face the pandemic, sidestepping the government entirely <<https://www.elfinancierocr.com/economia-y-politica/empresarios-proponen-su-propio-menu-de-medidas/tsg3juwqibfhlguuaza4vi6e6y/story/>>,%20<https://mx.reuters.com/article/mercados-mexico-media-idmx1n2bb1my>>.

The Mexican government's response is contradictory because President López Obrador refuses to follow and call for social distancing measures. Pictures reveal him embracing and shaking hands of countless supporters,

and holding rallies and gatherings for his adoring public

<<https://www.washingtonpost.com/opinions/2020/03/18/mexico-is-not-ready-coronavirus-just-look-amlos-behavior/>>.

His refusal may stem from his true belief in his populist rhetoric, or perhaps he figures himself to be above the recommendations many health care and public health officials have made. And maybe he fears what could happen to both his government and to the economy in Mexico were he to come clean about the potential consequences to Mexico of this pandemic. Regardless of the reason, it is reprehensible to see a national leader not modeling safe behavior and, even more so, for putting himself in the line of fire.

Refusing to practice social distancing puts him at risk for both contracting and spreading the virus. Furthermore, his age makes him susceptible to complications others who have contracted the virus have endured.

The last thing Mexico needs at this juncture is its leader incapacitated and unable to follow through on steering the country through the murky waters of what lies ahead.

Here is the part that is worrisome: at his morning press conference

<<https://www.vallartadaily.com/mexicos-president-says-amulets-and-prayer-protects-him-from-coronavirus/>>

earlier this week, President López Obrador dug out his prayer card

<<https://mx.reuters.com/article/salud-coronavirus-presidente-idmx11n2bb1wc>>, a \$2 bill given to him

by a migrant and a four-leaf clover given to him by a supporter

<[https://www.eluniversal.com.mx/nacion/politica/presume-amlo-sus-amuletos-contra-el-coronavirus?](https://www.eluniversal.com.mx/nacion/politica/presume-amlo-sus-amuletos-contra-el-coronavirus?fbclid=iwar0betagauxlh4lrytmub2mktk1qf5gxrflgrjdhp7f0-ahouef54evlcik)

[fbclid=iwar0betagauxlh4lrytmub2mktk1qf5gxrflgrjdhp7f0-ahouef54evlcik](https://www.eluniversal.com.mx/nacion/politica/presume-amlo-sus-amuletos-contra-el-coronavirus?fbclid=iwar0betagauxlh4lrytmub2mktk1qf5gxrflgrjdhp7f0-ahouef54evlcik)>. He held them up for journalists and the world to see and referred to the items as the “bodyguards” that would protect him. He also said he possessed a

protective shield of honesty and called on Jesus Christ and religion for strength. These words are jarring for a country accustomed to political leaders—especially in the executive branch—respecting the separation of church and state.

Mexico established an anticlerical <https://www.nytimes.com/1991/12/20/world/mexico-ending-church-restraints-after-70-years-of-official-hostility.html> nation, clearly defined in its 1917 Constitution. President López Obrador has subtly ignored this in the past, but this morning there was nothing subtle about his actions; calling on prayer sent a clear signal to his political base—evangelical churches and Catholics—to rally around him, including his laissez-faire policy when it comes to halting the spread of coronavirus.

He is a savvy and pragmatic political leader, so it's likely he has a clear agenda in appealing to religiosity. Is it to deflect the federal government's lack of preparation and resources to tackle the pandemic? Is it to buffer from the impending damage to the Mexican economy and, by extension, his macroeconomic policies that had recently landed the country on the recession <https://www.reuters.com/article/us-mexico-economy-gdp/mexico-entered-recession-in-early-2019-dealing-blow-to-president-iduskbn1xz1jf> side of the column?

Many of his supporters are precisely the individuals who will be most harmed by a downturn in the economy and likely not to have access to adequate health care. Appealing to prayer buys López Obrador time as well as an easy scapegoat—what he refers to as his “adversaries” that must be fought with prayer—for the impending crisis.

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<<http://csis.org/events/amlos-first-year-office-challenges-and-opportunities>>

December 2, 2019

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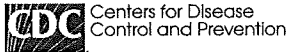
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EXHIBIT 9



Travelers' Health






COVID-19 in Mexico

Level 4: Very High Level of COVID-19 in Mexico

Key Information for Travelers to Mexico

- Travelers should avoid all travel to Mexico.
- Travel may increase your chance of getting and spreading COVID-19.
- If you must travel:
 - Before you travel, get tested with a viral test 1–3 days before your trip. Do not travel if you are waiting for test results, test positive, or are sick. Follow all entry requirements for your destination and provide any required or requested health information.
 - During travel, wear a mask, stay at least 6 feet from people who are not traveling with you, wash your hands often or use hand sanitizer, and watch your health for signs of illness.
 - Before traveling back to the United States, get tested with a viral test 1–3 days before travel. Follow all destination and airline recommendations or requirements.
 - After you travel, get tested 3–5 days after travel AND stay home for 7 days after travel.
 - If you don't get tested, it's safest to stay home for 10 days.
 - If you had a known exposure to COVID-19 while traveling, delay travel, quarantine from other people, get tested, and monitor your health.

COVID-19 Levels

-  Level 4: Very High
-  Level 3: High
-  Level 2: Moderate
-  Level 1: Low
-  Level unknown

Learn more about COVID-19 levels.

See all COVID-19 travel notices.

Travel and COVID-19

Travel may increase your chance of getting and spreading COVID-19. Staying home is the best way to protect yourself and others from COVID-19. Airports, bus stations, train stations, and rest stops are all places travelers can be exposed to the virus. These are also places where it can be hard to social distance. If you travel, take steps before, during, and after travel to keep yourself and others from getting COVID-19.

Delay travel if you are waiting for test results, test positive, are sick, or if you have been around someone with COVID-19 in the past 14 days. Find out more about [When to Delay Travel](#).

Before You Travel

Travelers should avoid all travel to Mexico. If you must travel, talk to your doctor ahead of travel, especially if you are at increased risk for severe illness from COVID-19.

Get tested with a viral test 1–3 days before your trip, keep a copy of your results with you during travel.

Do not travel if your test result is positive; immediately isolate yourself, and follow public health recommendations.

If traveling by air, check if your airline requires any health information, test results, or other documents. Follow entry requirements or restrictions at your destination which might include testing, quarantine, and providing contact information. Check with your destination's Office of Foreign Affairs or Ministry of Health or the US Department of State, Bureau of Consular Affairs, Country Information page for details about entry requirements and restrictions for arriving travelers. If you test positive on arrival, you might be required to isolate. You might be prevented from returning to the United States as scheduled.

If you get sick in Mexico, you might need medical care. Plan ahead and learn more about Getting Health Care During Travel.

During Travel

If you travel, take the following steps to protect yourself and others from COVID-19:

- Stay at least 6 feet/2 meters (about 2 arm lengths) from anyone who is not traveling with you. It's important to do this everywhere—both indoors and outdoors.
- Wear a mask to keep your nose and mouth covered when you are in shared spaces, including when using public transportation.
- Wash your hands often or use hand sanitizer (with at least 60% alcohol).
- Avoid contact with anyone who is sick.
- Avoid touching your eyes, nose, and mouth.
- Do not travel if you are sick.

Get tested with a viral test 1–3 days before traveling back to the United States.

After You Travel

You might have been exposed to COVID-19 during your travels. You might feel well and not have any symptoms, but you can be contagious without symptoms and can spread the virus to others.

After you travel, take the following steps to protect others from getting sick for 14 days after travel:

- Get tested 3–5 days after your trip **AND** stay home for 7 days after travel.
 - Even if you test negative, stay home for the full 7 days.
 - If your test is positive, isolate yourself to protect others from getting infected.
- If you don't get tested, it's safest to stay home for 10 days after travel.
- Avoid being around people who are at increased risk for severe illness for 14 days, whether you get tested or not.
- Always follow state and local recommendations or requirements related to travel.

Take these actions to protect others from getting sick:

- Stay at least 6 feet/2 meters (about 2 arm lengths) from anyone who did not travel with you, particularly in crowded areas. It's important to do this everywhere—both indoors and outdoors.
- Wear a mask to keep your nose and mouth covered when you are in shared spaces outside of your home, including when using public transportation.
- Wear a mask and ask any household members who did not travel with you to wear masks in shared spaces inside your home.
- Wash your hands often or use hand sanitizer (with at least 60% alcohol).
- Watch your health: Look for symptoms of COVID-19, and take your temperature if you feel sick.

See CDC's After You Travel page for more information.

Other Considerations

If you get sick with COVID-19 or test positive for the virus that causes COVID-19 while abroad, you might not be permitted to return to the United States until you can end isolation. If you are exposed to someone with COVID-19 during travel, you might be quarantined and not be permitted to return to the United States until your quarantine is lifted.

Clinician Information

Clinicians should obtain a detailed travel history for patients with symptoms of COVID-19 infection. If you suspect that a traveler has COVID-19, see Information for Healthcare Professionals about Coronavirus (COVID-19) for information on evaluating, reporting, clinical care guidance, and infection control.

Additional Information

- Know When to Delay Your Travel to Avoid Spreading COVID-19
- How CDC Determines the Level of a Destination's COVID-19 Travel Health Notice
- Travel During the COVID-19 Pandemic
- Testing and International Air Travel
- Coronavirus Disease 2019
- Information for Healthcare Professionals
- WHO, Coronavirus
- US Department of State: Smart Traveler Enrollment Program (STEP)

Page last reviewed: December 02, 2020
Content source: National Center for Emerging and Zoonotic Infectious Diseases (NCEZID)
Division of Global Migration and Quarantine (DGMQ)



Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

✓ Mann, George Peter
George P. Mann & Assoc., P.C.
33505 W. 14 Mile Rd., Ste 20
Farmington Hills, MI 48331

DHS/ICE Office of Chief Counsel - DET
333 Mt. Elliott St., Rm. 204
Detroit, MI 48207

Name: GOMEZ-CAMARENA, JUAN ANTONIO

A 088-454-835

Type of Proceeding: Removal

Date of this notice: 1/6/2021

Type of Appeal: Case Appeal

Filed By: Alien

NOTICE -- BRIEFING SCHEDULE

- o Enclosed is a copy of the decision of the Immigration Judge.
- o Enclosed is a copy of the transcript of the testimony of record.
- o Appealing party is granted until 1/27/2021 to submit a brief to the Board of Immigration Appeals. The brief must be **RECEIVED** at the Board on or before this date.
- o Opposing party is granted until 2/17/2021 to submit a brief to the Board of Immigration Appeals. The brief must be **RECEIVED** at the Board on or before this date.

WARNING: If you indicate on the Notice of Appeal (Form EOIR-26) that you will file a brief or statement, you are expected to file a brief or statement in support of your appeal. If you fail to file a brief or statement within the time set for filing in this briefing schedule, the Board may summarily dismiss your appeal. See 8 C.F.R. § 1003.1(d)(2)(i)(E).

If you are an alien and you received this notice, you are not represented by an attorney or accredited representative. An attorney or accredited representative must file a Notice of Entry of Appearance (Form EOIR-27) to represent you. 8 C.F.R. §§ 1003.3(a)(3) and 1003.38(g). Until a Form EOIR-27 is received, you are responsible for submitting a brief, and any submissions by anyone other than you will be rejected.

FILING INSTRUCTIONS -- In General.

IMPORTANT: Briefs and other submissions should always be paginated. Parties must limit the body of their briefs or motions to 25 pages. If a party believes it cannot adequately dispose of the issues in the case within the page limit, the party should file the brief along with a motion to increase the page limit. See Chapter 3.3(c)(iii) (Number of pages) and 4.6(b) (Brief writing guidelines) of the Board's Practice Manual.

The Board of Immigration Appeals has included two copies of this notice. Please attach one copy of this notice to the front of your brief when you mail or deliver it to the Board, and keep

A fee is not required for the filing of a brief. Your brief must be RECEIVED at the Clerk's Office at the Board of Immigration Appeals within the prescribed time limits. It is NOT sufficient simply to mail the brief and assume your brief will arrive on time. We strongly urge the use of an overnight courier service to ensure the timely filing of your brief.

If you have any questions about how to file something at the Board, you should review the Board's Practice Manual at www.justice.gov/eoir.

Proof of service on the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals -- including correspondence, forms, briefs, motions, and other documents. If you are the Respondent or Applicant, the "Opposing Party" is the District Counsel for the DHS or the Director for HHS/ORR at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service on the opposing party will be rejected.

FILING ADDRESS:

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

Business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Use of an overnight courier service is strongly encouraged to ensure timely filing.

FILING INSTRUCTIONS -- Extension Request.

Extension requests must be **RECEIVED** at the Board on or before the expiration of the initial briefing schedule. Requests for extension of briefing time received after expiration of the initial briefing schedule, will not be granted.

Unless you receive a Board Notice granting your extension request, your brief will remain due on the date stated above.

Extensions of briefing time are not favored and will only be granted for good cause. Requests filed on the same day as a brief is due are particularly disfavored and will only be granted in the most compelling circumstances. All extension requests must be in writing. Telephonic or fax requests will not be accepted.

A second briefing extension request will not be granted, except in extraordinary circumstances.

RudieT
UserTeam:East

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BOARD OF IMMIGRATION APPEALS
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

_____/

In the matter of

GOMEZ CAMARENA, Juan Antonio
A 088-454-835

_____/

Attorney for Respondent
George P. Mann
Law Offices of George P. Mann & Associates, P.C.
33505 W. Fourteen Mile Rd., Suite 20
Farmington Hills, MI 48331
Telephone: (248)932-0990

KINDLY REFER THIS MOTION TO A SUPERVISOR
FOR REVIEW DUE TO EXTENUATING
CIRCUMSTANCES- ATTORNEY DOES NOT HAVE
THE REASONABLY COMPLETE AND ACCURATE
RECORD. WAITING FOR BOARD TO PROVIDE THE
FILE VIA FOIA REQUEST. SECOND REQUEST.

**MOTION FOR EXTENSION OF BRIEF SUBMISSION UNTIL AFTER THE
BOARD SENDS THE REASONABLY COMPLETE AND ACCURATE RECORD**

I, George Mann, declare under penalty of perjury and pursuant to 8 USC 1746 that the contents of this letter are true:

Respondent, Juan Antonio Gomez Camarena, by and through his attorney, George P. Mann, and in support of his Motion for Extension of Brief Submission states the following:

1. Undersigned counsel did not handle this Respondent's individual hearing and does not have the record. While the Board sent the IJ decision and the transcript, counsel does not have the cancellation application and the exhibits the IJ took into evidence. Especially relevant is the documentation with respect to the hardship, because Respondent is challenging the IJ's hardship finding.

2. As set forth in my letter to you dated December 31, 2020, the client came to us after the initial brief was due. We filed a motion to remand based on some new hardship that we gathered quickly, but we plan to supplement that.
3. In the December 31, 2020 letter, we asked that you make the due date for the brief AFTER you respond to our diligently filed FOIA request.
4. Rather than put the briefing in abeyance, Respondent has been granted until January 27, 2020 to submit a brief to the Board of Immigration Appeals.
5. The attorney who prepares the Appeal briefs is vision impaired and requires accommodation of extra time to prepare the appeals brief due to limitations on her screen-time so as not to strain her one working eye. She had a stroke in 2018 that permanently took away vision in left eye (no longer can read with that eye). The left eye has not come back over the last two years.
6. Due to the tremendous amount of work which includes 6 USCIS Interviews, 5 Call Ups, 2 Individual Hearings, in addition to 6th, 9th Circuit and 8 additional complicated BIA deadlines, (many of which were caused due to USPS mailing delays) which undersigned counsel is already obligated to complete, it would be an extreme burden upon undersigned counsel to submit the full brief to the Board according to the current briefing schedule.
7. Given the above facts, Respondents requests that the BOARD RESPOND TO THE FOIA REQUEST ON AN EXPEDITED BASIS. AND GRANT A BRIEFING EXTENSION TO THREE WEEKS AFTER WE RECEIVE THE REASONABLY COMPLETE AND ACCURATE RECORD VIA PENDING FOIA REQUEST, but no earlier than February 17, 2021 (due to other appeal briefs due concurrently at the Board)¹ to enable undersigned counsel to properly prepare and submit a complete brief to the Board.

Respectfully Submitted,

George P. Mann

 George P. Mann
 Attorney for Respondents

Dated: January 20, 2021

¹ The Board sent several briefing letters at once. The first four on this list were delivered AFTER THE DUE DATE OF THE BRIEF. The attorney who writes the BIA appeal briefs can only handle one per week due to impaired vision.

Lopez Garcia, Riquelmer Leonardo	209-764-958
Duran Oropeza, Evaristo	216-029-119
Al Musalat, Muataz	205-801-681
Interiano Perez, Ana	209-901-333
Villegas Martinez, Juan	215-590-462
Gomez Camarena, Juan Antonio	088-454-835

CERTIFICATE OF SERVICE

I certify that on January 20, 2021 a copy of the foregoing MOTION FOR EXTENSION OF BRIEF SUBMISSION UNTIL AFTER THE BOARD SENDS THE REASONABLY COMPLETE AND ACCURATE RECORD_submission was served to the Chief Counsel that is located at the following address via E-Service:

ICE Chief Counsel
333 Mount Elliott
Detroit, MI 48207

Dated: January 20, 2021

George P. Mann

George P. Mann
Law Offices of George P. Mann & Associates
33505 W. Fourteen Mile Rd, Suite 20
Farmington Hills, MI 48331
(248) 932-0990



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

5107 Leesburg Pike, Suite 2000
Falls Church, Virginia 22041

✓ Mann, George Peter
George P. Mann & Assoc., P.C.
33505 W. 14 Mile Rd., Ste 20
Farmington Hills, MI 48331

DHS/ICE Office of Chief Counsel - DET
333 Mt. Elliott St., Rm. 204
Detroit, MI 48207

Name: GOMEZ-CAMARENA, JUAN ANTONIO

A 088-454-835

Type of Proceeding: Removal

Date of this notice: 1/6/2021

Type of Appeal: Case Appeal

Filed By: Alien

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- o Enclosed is a copy of the decision of the Immigration Judge.
- o Enclosed is a copy of the transcript of the testimony of record.
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- o Opposing party is granted until 2/17/2021 to submit a brief to the Board of Immigration Appeals. The brief must be **RECEIVED** at the Board on or before this date.

WARNING: If you indicate on the Notice of Appeal (Form EOIR-26) that you will file a brief or statement, you are expected to file a brief or statement in support of your appeal. If you fail to file a brief or statement within the time set for filing in this briefing schedule, the Board may summarily dismiss your appeal. See 8 C.F.R. § 1003.1(d)(2)(i)(E).

If you are an alien and you received this notice, you are not represented by an attorney or accredited representative. An attorney or accredited representative must file a Notice of Entry of Appearance (Form EOIR-27) to represent you. 8 C.F.R. §§ 1003.3(a)(3) and 1003.38(g). Until a Form EOIR-27 is received, you are responsible for submitting a brief, and any submissions by anyone other than you will be rejected.

FILING INSTRUCTIONS -- In General.

IMPORTANT: Briefs and other submissions should always be paginated. Parties must limit the body of their briefs or motions to 25 pages. If a party believes it cannot adequately dispose of the issues in the case within the page limit, the party should file the brief along with a motion to increase the page limit. See Chapter 3.3(c)(iii) (Number of pages) and 4.6(b) (Brief writing guidelines) of the Board's Practice Manual.

The Board of Immigration Appeals has included two copies of this notice. Please attach one copy of this notice to the front of your brief when you mail or deliver it to the Board, and keep

IMPORTANT: Briefs and other submissions should always be paginated. Parties must limit the body of their briefs or motions to 25 pages. If a party believes it cannot adequately dispose of the issues in the case within the page limit, the party should file the brief along with a motion to increase the page limit. See Chapter 3.3(c)(3) (Number of pages) and 4.6(b) (Brief writing guidelines) of the Board's Practice Manual.

The Board of Immigration Appeals has included two copies of this notice. Please attach one copy of this notice to the front of your brief when you mail or deliver it to the Board, and keep one for your records. Thank you for your cooperation.

Use of an over-night courier service is strongly encouraged to ensure timely filing.

If you have any questions about how to file something at the Board, you should review the Board's Practice Manual, which can be found within the EOIR Policy Manual at www.justice.gov/eoir.

Proof of service on the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals -- including correspondence, forms, briefs, motions, and other documents. If you are the Respondent or Applicant, the "Opposing Party" is the District Counsel for the DHS or the Director for HHS/ORR at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service on the opposing party will be rejected.

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Business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

RosierT
User team: East

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BOARD OF IMMIGRATION APPEALS
5107 Leesburg Pike, Suite 2000
Falls Church, VA 22041

_____/

In the matter of

GOMEZ CAMARENA, Juan Antonio
A 088-454-835

_____/

Attorney for Respondent
George P. Mann
Law Offices of George P. Mann & Associates, P.C.
33505 W. Fourteen Mile Rd., Suite 20
Farmington Hills, MI 48331
Telephone: (248)932-0990

KINDLY REFER THIS MOTION TO A SUPERVISOR
FOR REVIEW DUE TO EXTENUATING
CIRCUMSTANCES- ATTORNEY DOES NOT HAVE
THE REASONABLY COMPLETE AND ACCURATE
RECORD. WAITING FOR BOARD TO PROVIDE THE
FILE VIA FOIA REQUEST. THIRD REQUEST.

**MOTION FOR EXTENSION OF BRIEF SUBMISSION UNTIL AFTER THE
BOARD SENDS THE REASONABLY COMPLETE AND ACCURATE RECORD**

I, George Mann, declare under penalty of perjury and pursuant to 8 USC 1746 that the contents of this letter are true:

Respondent, Juan Antonio Gomez Camarena, by and through his attorney, George P. Mann, and in support of his Motion for Extension of Brief Submission states the following:

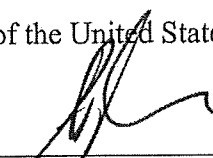
1. Undersigned counsel did not handle this Respondent's individual hearing and does not have the record. While the Board sent the IJ decision and the transcript, counsel does not have the cancellation application and the exhibits the IJ took into evidence. Especially relevant is the documentation with respect to the hardship, because Respondent is challenging the IJ's hardship finding.

2. As set forth in my letters to you dated December 31, 2020 and January 20, 2021, the client came to us after the initial brief was due. We filed a motion to remand based on some new hardship that we gathered quickly, but we plan to supplement that.
3. In the December 31, 2020 letter and January 20, 2021, we asked that you make the due date for the brief AFTER you respond to our diligently filed FOIA request.
4. Rather than put the briefing in abeyance, Respondent has been granted until March 4, 2021 to submit a brief to the Board of Immigration Appeals.
5. The EOIR was required to furnish the FOIA response in 30 days and said so in the receipt. See **Exhibit 1**.
6. EOIR is in contempt of the FOIA required statutory deadline. If EOIR complied with its statutory deadline, I could have file the brief if EOIR complied with its statutory deadline.
7. Your receipt states:

The FOIA requires an agency to respond within 20 working days after receipt of the request, and EOIR endeavors to meet this standard. The FOIA permits a ten-day extension of this time period, pursuant to 5 U.S.C. § 552(a)(6) (B), based on unusual circumstances. Your request involves "unusual circumstances," and EOIR is extending the time period to respond by an additional 10 working days because your request requires the collection of records from field offices, or involves a search, collection, and review of voluminous records, or requires consultation with another agency or two or more agency components.
8. Given the above facts, Respondents requests that the BOARD RESPOND TO THE FOIA REQUEST ON AN EXPEDITED BASIS. AND GRANT A BRIEFING EXTENSION TO THREE WEEKS AFTER WE RECEIVE THE REASONABLY COMPLETE AND ACCURATE RECORD VIA PENDING FOIA REQUEST to enable undersigned counsel to properly prepare and submit a complete brief to the Board.
9. The government failed to meet its obligation to **timely** provide a reasonably accurate and complete record of the removal hearing upon Respondent's appeal from the IJ's order prior to the brief being due. See 8 U.S.C. § 1229a(b)(4)(C) amended by PL 109-162; 8 C.F.R. § 1003.5; 8 C.F.R. § 1240.9. The IJ decision and transcript, which were delivered after the due date for the brief, was necessary for me to formulate legal arguments. "To prevail on a due process challenge to deportation proceedings, [an alien] must show error and substantial prejudice." Gishta v. Gonzales, 404 F.3d 972, 979 (6th Cir. 2005) (quotation omitted). Due to counsel's heavy schedule of previously scheduled court dates and agency appearances previously scheduled in January and February, it was respectfully requested that the briefing schedule be due on March 2, 2021.
10. I cannot write the brief without reviewing the evidence submitted in the case. I did not do the trial. This case revolves around proof of hardship. To show good faith, I attach as Exhibit 2 a rough draft of the facts I gleaned from the IJ decision and Transcript. I need the evidence so I can discuss it in the brief.

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

March 9, 2021



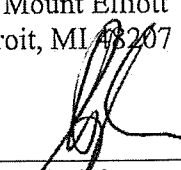
George P. Mann

CERTIFICATE OF SERVICE

I certify that on March 9, 2021 a copy of the foregoing MOTION FOR EXTENSION OF BRIEF SUBMISSION UNTIL AFTER THE BOARD SENDS THE REASONABLY COMPLETE AND ACCURATE RECORD submission was served to the Chief Counsel that is located at the following address via E-Service:

ICE Chief Counsel
333 Mount Elliott
Detroit, MI 48207

Dated: March 9, 2021



George P. Mann
Law Offices of George P. Mann & Associates
33505 W. Fourteen Mile Rd, Suite 20
Farmington Hills, MI 48331
(248) 932-0990

EXHIBIT 1



Maris J. Liss <mliss@greencard-us.com>

Fwd: DOJ-EOIR FOIA Request # 2021-11399

1 message

George P. Mann <GPMann@greencard-us.com>
To: All-Office <All@greencard-us.com>

Thu, Dec 31, 2020 at 11:04 AM

GEORGE P. MANN
Attorney & Counselor



33505 Fourteen Mile Rd., Suite 20
Farmington Hills, MI 48331
(248) 932-0990 Fax: (248) 932-4971
www.greencard-us.com

Follow us on Twitter @gpmann1
Like us on Facebook
Connect with us on LinkedIn

NOTICE

This e-mail message and its attachments are confidential, intended only for the addressee(s) named above and may contain information that is proprietary, privileged, attorney work product or otherwise exempt from disclosure. In the event that you are not an intended recipient, or an agent responsible for delivering it to an intended recipient, or you have received this email in error, please (i) immediately notify me by reply email, (ii) do not review, copy, save, forward or print this email or any of its attachments, and (iii) immediately delete and/or destroy this email and its attachments and all copies thereof. Thank you.

----- Forwarded message -----
From: <eoir.foiarequests@usdoj.gov>
Date: Thu, Dec 31, 2020 at 10:42 AM
Subject: DOJ-EOIR FOIA Request # 2021-11399
To: <gpmann@greencard-us.com>

Re: 2021-11399
Freedom of Information Act Request for GOMEZ-CAMARENA, JUAN ANTONIO

Dear George P. Mann,

This response acknowledges receipt of your Freedom of Information Act (FOIA) request by the Executive Office for Immigration Review (EOIR) dated 12/22/2020 and received 12/22/2020. Your request has been assigned control number 2021-11399.

-
Please be advised that due to necessary operational changes as a result of the national emergency concerning the novel coronavirus disease (COVID-19) outbreak, there may be significant delay in the processing of your request. If your request is for a Record of Proceeding (ROP), those records ordinarily reside in individual hard-copy Record of Proceeding files located in one of the 63 EOIR Immigration Courts or 15 Federal Records Centers long-term storage facilities geographically located throughout the United States or its territories. Currently, the Immigration Courts and the Federal Records Centers are operating at limited capacity with limited staff and/or are closed due to COVID-19. To check on current operating status for EOIR's Immigration Courts or NARA's Federal

Records Centers, please visit <https://www.justice.gov/eoir-operational-status> and <https://www.archives.gov/frc/operating-status>.

If you have filed a fee waiver request, EOIR will address the fee waiver in a separate letter. Most requests for records of proceedings do not require any fees; however, if the fees for processing the request are estimated to exceed \$25.00, EOIR will notify you before processing the request to determine whether you will commit to paying the fee or whether you wish to narrow the scope of your request to reduce the fee. Fees may be charged for searching records at the rate of \$4.75 (administrative)/\$10.00 (professional) per quarter hour, and for duplication of copies at the rate of \$.05 per copy. The first 100 copies and two hours of search time are not charged, and charges must exceed \$25.00 before we will charge a fee.

The FOIA requires an agency to respond within 20 working days after receipt of the request, and EOIR endeavors to meet this standard. The FOIA permits a ten-day extension of this time period, pursuant to 5 U.S.C. § 552(a)(6) (B), based on unusual circumstances. Your request involves “unusual circumstances,” and EOIR is extending the time period to respond by an additional 10 working days because your request requires the collection of records from field offices, or involves a search, collection, and review of voluminous records, or requires consultation with another agency or two or more agency components.

EOIR FOIA requests are placed in one of three tracks. Track one is for those requests that seek and receive expedited processing pursuant to subsection (a)(6)(E) of the FOIA. Track two is for simple requests that do not involve voluminous records or lengthy consultations with other entities. Track three is for complex requests that involve voluminous records and for which lengthy or numerous consultations are required, or those requests that may involve sensitive records. As a matter of default, your request has been placed in track two for simple requests. If you have requested expedited processing, EOIR will contact you in a separate letter.

If you have any questions regarding unusual circumstances, you may contact the EOIR FOIA Service Center or FOIA Public Liaison at (703) 605-1297 or EOIR.FOIArequests@usdoj.gov to discuss reformulation or an alternative time frame to process your request, or for any further assistance regarding any aspect of your request. Alternatively, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001; e-mail at ogis@nara.gov; telephone at (202) 741-5770; toll free at (877) 684-6448; or facsimile at (202) 741-5769.

Sincerely,

FOIA Intake

EXHIBIT 2

Facts on Gomez-Camarena Case PENDING RECEIPT OF THE FILE PURSUANT TO A FREEDOM OF INFORMATION ACT REQUEST DATED 12/22/20.

Full name: Juan Antonio Gomez-Camarena

- *Outline*
 - Juan Gomez-Camarena, in removal proceedings
 - Hardship claimed due to son's (Diego) medical condition, Diego suffers from depression, anxiety, chronic headaches, and abdominal pain. **Judge denied hardship because**
 - There was a limited period of time Diego suffered from anxiety and depression, mostly anxiety related issues. (Op. 6).
 - Diego and his sister reported to the court that Diego had returned to football and was that could hopefully be a method for him to qualify for collegiate play and get a scholarship. (Op. 6).
 - The fact that Diego had returned to football suggests that his health has improved, and his headaches are no longer an issue (Op. 6).
 - Neither sibling actually said he was 100% returning to football; the sister actually said he started getting headaches again so he was going to a doctor soon to see if he could go back to playing full time (Tr. 278-79).
 - The hardship Diego would suffer is the usual separation and economic hardship, especially since the family would be staying in the United States if the father was deported (Op. 7).
 - The family's hardship does not rise to the standard of a "exceptional and extremely unusual hardship" (Op. 14).
- *Facts → Hardship*
 - Mr. Gomez-Camarena's testimony (Mr. Lustig)
 - He and his wife have a lot of expenses because of their kids' medical issues and their lack of medical insurance (Tr. 90). The cause of his son's headaches has not been found, so he has been undergoing multiple treatments and tests to find the cause, including the use of braces (Tr. 9-).
 - The son, Diego, has been suffering from headaches for a year and is continuing to experience issues (Tr. 91). The son continuously cries from the headaches and has been taken to the emergency room for treatment on a number of occasions (92).
 - The son has continuous medical appointments to find the cause. (Tr. 92). While medical insurance is covering the medical bills, his braces are paid out of pocket despite being a treatment for his headaches (Tr. 97).
 - The oldest daughter, Arianis, has been experiencing issues with her back because her waist was shifted (Tr. 93). Her medical exams are covered by insurance, but her acupuncture treatment must be paid out of pocket (Tr. 97).
 - The cost of braces is about \$4,000 for each of Juan's children (Tr. 97). With four children, the cost of braces is about \$12,000.
 - Juan's youngest daughter, Gracia, has had asthma since she was born (Tr. 99). Her treatment consists of an inhaler and a nebulizer. (97).
 - Juan is the one in charge of setting up the children's medical appointments and tests because he is the one who can speak English in the household; his wife does not speak or understand English well (99). While the wife drives the children to the appointment, Juan must call the school to have them released from class (99). His oldest daughter assists with driving them to appointments because she is in college, but she cannot ask for her siblings to be released from class because she is not a parent (99).
 - The children have struggled a lot when Juan was not living in the household (Tr. 100). Now that Juan is back, he can help with medical appointments, bills, food, and school supplies (Tr. 101).

- Juan and his wife talked about what would happen if he was deported. (Tr. 100). His wife is concerned that she won't be able to take the children to their medical appointments by herself. (Tr. 101).
- They talked about moving to Mexico with the kids, but the wife and children don't know enough about the country (Tr. 101). Juan's children have not been to Mexico and Juan's wife believes they will suffer in Mexico and is worried about the cartels (Tr. 101). The wife does not see a future for the children in Mexico (101).
- Juan has already begun looking for employment in Mexico but has been told that it is difficult to find a job (Tr. 102). The most jobs will pay him in Mexico is \$20 a day (103).
- The wife's only financial support will be her income (Tr. 103). She does not have any family in the United States that can support her and the children if Juan was deported to Mexico (Tr. 104).
- Juan's oldest daughter can speak, write, and read Spanish (Tr. 107). The youngest two children can speak broken Spanish, but they cannot write or read it (107).
- Juan's children do not want to go to Mexico because they are concerned about the cartels and abductions and killings in Mexico (110-11). They also state they don't know the country, the language, or their family in Mexico well (110-11).
- Mr. Gomez-Camarena's testimony (Mr. Shoudy).
 - Jorge Gomez, Juan's brother is a U.S. citizen (Tr. 144). He filed a visa application for Mr. Gomez-Camarena on April 11, 2001 (144). The application was approved on June 16th, 2005 so Mr. Gomez-Camarena is waiting for it to become current (145).
 - Mr. Shoudy notified Mr. Gomez-Camarena that another way to apply for a visa is through his son, who is also a U.S. citizen (145). Mr. Gomez-Camarena did not know prior to the trial that this was another possibility (145).
 - All three of Mr. Gomez-Camarena's children are U.S. citizens who could apply for Mr. Gomez-Camarena to obtain a visa at 21 years old. His oldest child is 23 and can currently apply. His daughter will be 21 soon and eligible to apply. (Tr. 146).
 - There is no prognosis for Diego; the doctors are still trying to find the source of his headaches (Tr. 161).
 - Mr. Gomez-Camarena stated that he would call his 23-year-old son as soon as he left the courtroom now that he was aware his son could apply for him (Tr. 173). He also stated his daughter is planning on applying for Mr. Gomez-Camarena and his wife when she turns 21 (173).
 - Diego had been hospitalized for his headaches three days before the trial (176).
- Mr. Gomez (son) (Mr. Lustig)
 - Mom usually schedules appointments and dad coordinates the rides and makes sure everything is in order and organized (Tr. 203).
 - Dad pays for medical care (Tr. 203). When it's just the mom's money, there's barely enough money to survive so she can't take him to the doctor (Tr. 204).
 - The son has suffered from depression, anxiety, chronic headaches and stomach problems for about two years (204).
 - When Mr. Gomez gets headaches, he cannot move and has to stay in his room with the lights off because he is light and sound sensitive (205). His headaches have affected his ability to go to school and negatively affected his grades (206-207).
 - Mr. Gomez also has stomach issues that have been happening since he was 12 years old. (211). He feels intense pain and cannot move. He also gets nauseous and throws up his food if he is able to eat; he has to wait for his stomachache to go away before he can eat food. (211).
 - Mr. Gomez and his siblings rely on their dad to pick them up from school if there is an issue, such as getting sick (213). There have been many instances where Mr. Gomez has to call his dad because he isn't feeling well. (213-14).

- Mr. Gomez does not believe the family would be financially able to visit his father in Mexico because they would be barely surviving with the mother's income (238).
- Ms. Gomez (daughter) (Mr. Lustig)
 - Mr. Gomez-Camarena pays the majority of her college tuition bill (Tr. 258). Her mom is not able to pay for her school on her own, although she contributed (258-59).
 - Dad is the one who pays for most of the bills in the household (263).
 - Diego has a history of self-harm and a suicide attempt due to his depression (265).
 - The family depends on the dad for most everyday expenses, such as gas, electricity, cable, phone bills, clothing, school supplies, car repairs, etc. (Tr. 269). The dad works three jobs, so the family would lose three incomes if the dad was deported (270). One income would not be enough to cover the costs of three kids' schooling and medical costs, plus house bills. (270).
 - If the family moved with their dad to Mexico, they would not be able to go because the hospitals and school systems are not the same. The family would not have any hospitals nearby when they have a medical issue. (Tr. 273).
 - Diego has started trying to go back into football (Tr. 278). He's hoping to start playing again but he started getting headaches, so he is going to the doctor to decide if he can actually continue to play football (Tr. 278-79). He's trying to get back into football because he had scouts going out to see him since the 10th grade (Tr. 279).



U.S. Department of Justice

Executive Office for Immigration Review

Board of Immigration Appeals
Office of the Clerk

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Name:
GOMEZ-CAMARENA, JUAN ANTONIO

A 088-454-835

Type of Proceeding: Removal

Date of this notice: 3/17/2021

Type of Appeal: Case Appeal

Filed By: Alien

NOTICE -- BRIEFING EXTENSION REQUEST DENIED

Alien's original due date: 1/27/2021 DHS' original due date: 2/17/2021

o **Second request.** The alien's extension request, which was received on 3/4/2021 is denied. We previously granted an extension of time in this case and the request does not show extraordinary circumstances as to why a further extension should be granted by the Board. The Board will not consider a request to reconsider the denial. You may file a motion for consideration of your late-filed brief. See WARNING below.

PLEASE NOTE

WARNING: If you indicate on the Notice of Appeal (Form EOIR-26) that you will file a brief or statement, you are expected to file a brief or statement in support of your appeal. If you fail to file a brief or statement within the time set for filing in this briefing schedule, the Board may summarily dismiss your appeal. See 8 C.F.R. § 1003.1(d)(2)(i)(E).

If you file your brief late, you must file it along with a motion for consideration of your late-filed brief. There is no fee for such a motion. The motion must set forth in detail the reasons that prevented you from filing your brief on time. You should support the motion with affidavits, declarations, or other evidence. Only one such motion will be considered by the Board.

FILING INSTRUCTIONS

IMPORTANT: Briefs and other submissions should always be paginated. Parties must limit the body of their briefs or motions to 25 pages. If a party believes it cannot adequately dispose of the issues in the case within the page limit, the party should file the brief along with a motion to increase the page limit. See Chapter 3.3(c)(3) (Number of pages) and 4.6(b) (Brief writing guidelines) of the Board's Practice Manual.

If you have any questions about how to file something at the Board, please review the Board's Practice Manual, found within the EOIR Policy Manual at www.justice.gov/eo

Certificate of service on the opposing party at the address above is required for ALL submissions to the Board of Immigration Appeals -- including correspondence, forms, briefs, motions, and other documents. If you are the Respondent or Applicant, the "Opposing Party" is the DHS Counsel or the Director for HHS/ORR at the address shown above. Your certificate of service must clearly identify the document sent to the opposing party, the opposing party's name and address, and the date it was sent to them. Any submission filed with the Board without a certificate of service on the opposing party will be rejected.

FILING ADDRESS:

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

Business hours: Monday through Friday, 8:00 a.m. to 4:30 p.m.

Use of an overnight courier service is strongly encouraged to ensure timely filing.

RosierT
Userteam:East