



Request Number: CBP-FO-2024-122163



**Details of Request**

(Read only details of request)

CANCEL



**Request Description:** I, as an attorney of law, hereby request access to and copies of all records pertaining to the initial registration and any subsequent modifications of the I-94 form related to Mr. Filipe Garcia Martins Pereira. The information requested specifically includes, but is not limited to, the following: -The initial I-94 registration records for Mr. Filipe Garcia Martins Pereira, including any documentation, logs, and data entries. -Any and all modifications, updates, or corrections made to Mr. Pereira's I-94 records, including the reasons and authority for such changes. -Records of communications and decisions made by CBP staff regarding the handling of Mr. Pereira's I-94 records.

Background: Mr. Filipe Garcia Martins Pereira was an advisor to the former Brazilian president and is currently under preventive detention in Brazil on allegations of circumventing Brazilian immigration laws. There is no record that he left Brazil for a trip to the U.S. on December 30, 2022. However, travel history found on CBP's website indicates that Mr. Pereira entered the U.S. on that date. When we contacted the Orlando I-94 team on April 6, 2024, it was confirmed that there was no record of Mr. Pereira entering the U.S. on December 30, 2022. Instead, it was stated that his last port of entry was JFK in September 2022, consistent with his official agenda where he attended a United Nations event. Two weeks later, upon contacting JFK to obtain his latest I-94, we discovered an I-94 generated in Orlando with

**Fee Waiver Requested? :** Not Requested

**Reason for Fee Waiver:** -



several inconsistencies: -Mr. Pereira's name was incorrectly spelled as "Felipe" instead of "Filipe". -His passport information referred to a document that was lost and canceled almost two years prior to the alleged trip. -His visa class (A-2) referenced a visa that he no longer possessed on the date of the supposed trip. JFK confirmed there was no record of Mr. Pereira leaving the U.S. Further communication with Orlando revealed that, despite these inconsistencies, the I-94 information was updated to match Mr. Pereira's current name and documents instead of being removed as requested.

Considerations: -A presidential flight arrived in Orlando (MCO) on December 30, 2022, at 22:33. -Mr. Pereira's name was on the initial passenger list but was removed in later versions. -Mr. Pereira was on a domestic flight in Brazil on December 31, 2022, at 3 pm local time, making it impossible for him to have boarded a flight from the U.S. to Brazil in time to board the domestic flight. -The Brazilian government confirmed that Mr. Pereira was not on the December 30th flight to Orlando. -There are no records of Mr. Pereira leaving the U.S., yet he is currently in Brazil. -Mr. Pereira could not have been admitted to the U.S. using the passport and visa information on the I-94 since both documents were invalid at the time of the alleged trip. Supporting evidence hereby attached include: -DHS Form 590 and G-28 confirming my representation. -Copies of Mr. Pereira's diplomatic passport biography, G-2 visa, and B1/B2 visa. -Communications from CBP's Orlando I-94 division confirming the trip did not occur and that his last entry was in September 2022. -Copy of the lost diplomatic passport. -Police report confirming the passport loss. -Stamp confirming Mr. Pereira's last admission to the U.S. on September 19, 2022 (JFK). -Incorrect I-94 record. -Brazilian government declaration

**Expedited Processing?:** Pending Decision

**Reason for Expedited Processing:** Given the urgent and critical nature of this situation, I am requesting expedited processing of this FOIA request. Mr. Filipe Garcia Martins Pereira is currently in preventive detention in Brazil under allegations of circumventing Brazilian immigration laws, based on questionable documentation regarding his travel history to the United States. The swift release of the requested records is crucial as it directly impacts Mr. Pereira's legal defense and his current deprivation of liberty. The documentation in question not only holds significant implications for his immediate legal status but also for ensuring the integrity of international travel records and preventing potential miscarriage of justice. Therefore, I respectfully urge that this request be processed on an expedited basis to facilitate prompt and fair judicial proceedings.

that Mr. Pereira was not on board the December 30 flight. -Confirmation of Mr. Pereira's domestic flight in Brazil on December 31, 2022. If you have any questions or need further information, please do not hesitate to contact me. Thank you for your attention to this matter. Ana Schaffert, Esq.



**Agency:** Department of Homeland Security

**Component:** U.S. Customs & Border Protection

**Processing Track:** Simple

**Request Type:** FOIA Request

**Submitted Date:** 06/10/2024

**Request Status:** Initial Determination

**Identity Verification Status:** Not Requested by Agency

**Files uploaded by user**

Search



File Name	Attachment Type
1- GARCIA MARTINS PEREIRA, Filipe DHS Form 590 (1).pdf	General Documentation
1- GARCIA MARTINS PEREIRA, Filipe_G-28 Fully Executed (1).pdf	General Documentation
2- GARCIA MARTINS PEREIRA, Filipe_Diplomatic Passport_Biographic Page (1).pdf	General Documentation
3- GARCIA MARTINS PEREIRA, Filipe_G-2 US Visa (1) (1).pdf	General Documentation
4- GARCIA MARTINS PEREIRA, Filipe_B1_B2 Visa (1).pdf	General Documentation

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