

The Law Office of
TIMOTHY W. CERNIGLIA

A Professional Law Corporation

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September 29, 2017

Via Certified Mail
7017 1000 0000 5950 2926

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
500 12th Street, S.W., Stop 5009
Washington, D.C. 20536-5009

Re: Hernandez v Phillip Causey, et al
2:17-cv-123 KS MTP
Southern District of Mississippi

Dear Sr/Madam,

This is a request under the Freedom of Information Act.

I and Arthur Carlise represent Gabino Ramos Hernandez in the above referenced suit against Phillip Causey and another Immigration, Customs, and Enforcement agent, whose identity is unknown at this time. Presently the suit is against Mr. Causey and the unknown ICE agent in their individual capacity for their actions and conduct on July 20, 2016, when in the course of their duties as employees of Immigration and Customs Enforcement, shot Mr. Hernandez who was unarmed with his hands raised at the time.

Attached for your reference is a copy of a Summons which we have been unable to serve on Phillip Causey, being told by the ICE office in Gulfport that Mr. Causey is on military assignment, with no indication of where, what type of assignment, or how long it will last.

We are requesting documents that indicate, reference, or discuss Mr. Causey's assignment, his location, service or reserve unit, where he can be reached if needed by ICE, and the length of his assignment, so that we may personally serve him under the Federal Rules of Civil Procedure. Please note that the United States Attorney General, and the United States Attorney for the Southern District of Mississippi have been served with copies of the Complaint and Summons, as required by the Rules of Civil Procedure.

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
September 29, 2017
Page 2

Additionally, we are requesting all reports filed by any ICE officer, agent, or employee that references, describes, or discusses the shooting of Mr. Hernandez, including the identity of all other ICE agents present at the time. According to the police report filed by the Laurel Police Department, Incident No. 2016019517, an ICE agent by the name of Mike McGhee was also present on the scene. However, in addition to Mr. McGhee and Mr. Causey, there was at least one other agent present and perhaps two at the time of the shooting. We want copies of all reports, records, or statements that identify the ICE agents present at the time and/or describes what occurred before and after the shooting.

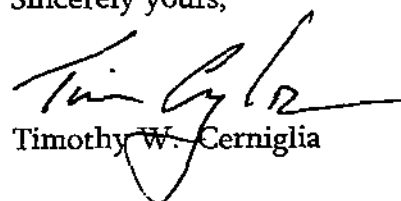
Lastly, Mr. Hernandez was visited in the hospital the following day, or shortly thereafter, by two ICE agents who indicated they were from the Jackson, Mississippi office. These agents took Mr. Hernandez's fingerprints, and may have questioned him to some extent. We also request copies of any reports generated as a result of this meeting with Mr. Hernandez, including the results of any fingerprint searches, and any transcript or rendition of anything he may have said.

This request is being made as part of Mr. Hernandez's exercise of his rights under the United States Constitution, and in order to promote justice and afford everyone a fair and impartial trial. The records requested are not for a commercial use.

The undersigned made a similar FOIA request via the Internet on September 25, 2017, directed only toward reports of the incident. It appears I was unsuccessful in copying the actual submission and receipt generated on the Internet. Out an abundance of caution, I included that Internet request in this written one, as well.

I am willing to pay fees for this request up to a maximum of \$100.00. If you estimate that the fees will exceed this limit, please inform me first. I may be reached at the address and phone number shown on the bottom of this page.

Sincerely yours,



Timothy W. Cerniglia

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