

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

LILIAN PAHOLA CALDERON JIMENEZ et al.,)	
)	
Petitioner,)	
)	
v.)	No. 18-cv-10225-MLW
)	
KIRSTJEN M. NIELSEN, et al.)	
)	
Respondents.)	
)	

NOTICE OF SUBSTITUTED PARTY UNDER RULE 25(d)

1. Pursuant to Federal Rule of Civil Procedure 25(d), this Court should substitute Interim Field Office Director (FOD) Rebecca Adducci as Defendant in this action, in lieu of former Acting Field Office Director Thomas Brophy. A declaration from Interim FOD Adducci regarding this substitution is attached hereto.
2. On June 7, 2018, Rebecca Adducci became Interim FOD of the Boston Field Office.
3. Interim FOD Adducci has been made aware that this Court found that the Boston Field Office violated the law in its implementation of the post-order custody regulations (POCR) under 8 C.F.R. § 241.4.
4. Interim FOD Adducci has also been made aware that prior Boston ERO leadership testified as to the practices they employed regarding the prioritization of enforcement resources. To the extent that those practices as previously testified to may contradict the President’s Executive Order No. 13768 (EO), ICE, through Interim FOD Adducci, will not continue them. Pursuant to the EO, ICE, through Interim FOD Adducci, will continue

to prioritize criminal aliens. In light of the EO, ICE cannot commit to exempt classes of aliens, such as non-criminals, from possible arrest and detention.

5. Interim FOD Adducci has been given the following documents from the above captioned matter:
 - a. ECF No. 27, Amended Complaint.
 - b. ECF No. 30, Petitioners' Motion for Order to Show Cause.
 - c. ECF No. 34, Memorandum and Order to Show Cause.
 - d. Transcript of Hearing, May 8, 2018.
 - e. ECF No. 69, Sequestration Order.
 - f. Transcript of Lobby Conference, May 23, 2018.
 - g. ECF No. 85, Revised Sequestration Order.

Respectfully submitted,

CHAD READLER
Acting Assistant Attorney General

WILLIAM C. PEACHEY
Director
Office of Immigration Litigation

J. MAX WEINTRAUB
Senior Litigation Counsel

/s/ Mary L. Larakers

MARY L. LARAKERS (Texas Bar # 24093943)

Trial Attorney

U.S. Department of Justice, Civil Division

Office of Immigration Litigation,

District Court Section

P.O. Box 868, Ben Franklin Station

Washington, DC 20044

(202) 353-4419

(202) 305-7000 (facsimile)

mary.l.larakers@usdoj.gov

Counsel for Respondents

CERTIFICATE OF SERVICE

I, Mary L. Larakers, Trial Attorney, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

/s/ Mary L. Larakers
Mary L. Larakers
Trial Attorney

Dated: June 22, 2018

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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LILIAN PAHOLA CALDERON JIMENEZ,))	
Petitioner,))	
v.))	No. 18-cv-10225-MLW
KIRSTJEN M. NIELSEN, et al.))	
Respondents.))	
)	
EDUARDO RALPH JUNQUEIRA,))	
Petitioner,))	
v.))	No. 18-cv-10307-MLW
STEVEN SOUZA, ET AL,))	
Respondents.))	
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DECLARATION OF REBECCA J. ADDUCCI

Pursuant to 28 U.S.C. § 1746, I, Rebecca J. Adducci, declare as follows:

1. I am currently serving as the Interim Field Office Director (FOD) for the Boston Area of Responsibility of the Office of Enforcement and Removal Operations (ERO), U.S. Immigration and Customs Enforcement (ICE), Department of Homeland Security. I have been serving in this position since Thursday, June 7, 2018. Presently, I am serving remotely until Monday, June 25, 2018, due to previously scheduled appointments and travel plans. I am on detail from the ERO Detroit, Michigan Field Office, where I am the FOD. As the FOD in Detroit, I am responsible for a staff of over 200 and all ERO activities throughout the states of Michigan and Ohio, including the proactive law enforcement activities of the Criminal Alien Program and Fugitive Operations

Program in 171 counties. I have been the FOD in Detroit since August 2009. Prior to becoming the FOD, I served as a Deputy FOD and an Assistant FOD.

2. Among my official duties as the Interim FOD is the responsibility for overseeing the scheduling and execution of removal orders for aliens detained in ICE custody.

3. This declaration is based on personal knowledge and information made known to me in the course of my professional duties. Specifically, in my transition to my current role, I was made aware of the ongoing litigation in this matter as well as associated habeas petitions that involve the detention of non-criminal aliens and the administration of Post Order Custody Reviews (POCRs).

4. I am aware that testimony was taken by the Court from the then Acting FOD as well as other local ERO leadership regarding operations of the Boston Field Office, so I wanted to ensure the Court was made aware of my transition to the position of Interim FOD at the Boston Field Office. I have also been made aware of the Court's concerns regarding the implementation of the relevant POCR regulations in ensuring timely reviews conducted with proper notice to the parties. In light of those concerns, I plan to include those issues among my priorities to address.

5. I also understand that statements may have been made by prior local ERO leadership, which may have been interpreted as a commitment with regard to the prioritization of enforcement resources. As Interim FOD, I intend to prioritize enforcement resources consistent with Executive Order No. 13768, *Enhancing Public Safety in the Interior of the United States*, 82 Fed. Reg. 8799 (Jan. 25, 2017), and the February 20, 2017 memorandum from former Secretary of Homeland Security John Kelly, titled *Enforcement of the Immigration Laws to Serve the National Interest*. Consistent with these policies, although ERO Boston will continue to prioritize enforcement efforts toward the apprehension and removal of criminal aliens and those who pose a danger to the community or to the national security of the United States, no classes or categories of removable

aliens are exempt from enforcement, including detention. A true and accurate copy of that memorandum is attached to this declaration as Exhibit 1.

Executed this 19th day of June 2018 in New Orleans, Louisiana.



Rebecca Adducci
Interim Field Office Director
ICE Boston Field Office