

EXHIBIT D

U.S. Department of Homeland Security
500 12th St. SW; STOP 5009
Washington, DC 20536-5009



U.S. Immigration
and Customs
Enforcement

September 19, 2018

Lindsay Nash
Cardozo School of Law
Immigration Justice Clinic
55 Fifth Avenue, 11th Floor
New York, NY 10003-4391

RE: FOIA Appeal 2018-ICAP-00426, 2018-ICFO-25625

Dear Ms. Nash:

This is in response to your appeal dated August 17, 2018, appealing U.S. Immigration and Customs Enforcement's (ICE) response to your Freedom of Information Act (FOIA) request. Your FOIA request, dated March 5, 2018, sought records related to civil immigration arrests by ICE agents that occur within, on the property, or within two city blocks of New York State courthouses (see request for specific details).

By letter, dated June 11, 2018, ICE FOIA advised you that "[a] search of the ICE Office of Enforcement and Removal Operations (ERO) for records responsive to your request produced 2 pages that are responsive to your request." You appealed the adequacy of the search.

After a review of the administrative record, ICE has determined that new search(s) or, modifications to the existing search(s), could be made. We are therefore remanding your appeal to the ICE FOIA Office for processing and re-tasking to the appropriate agency/office(s) to obtain any responsive documents. The ICE FOIA Office will respond directly to you.

Should you have any questions regarding this appeal remand, please contact ICE at ice-foia@dhs.gov. In the subject line of the email please include the word "appeal," your appeal number, which is **2018-ICAP-00426**, and the FOIA case number, which is **2018-ICFO-25625**.

Sincerely,

/s/ *Ali Karzba*

for

Erin Clifford
Chief
Government Information Law Division
ICE Office of the Principal Legal Advisor
U.S. Department of Homeland Security