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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 MILTON MENDEZ; GUILLERMO
13 MEDINA REYES; CRUZ LEANDRO
14 MARTINEZ LEIVA; R.H.M.; E.O.A.R.;
15 PEDRO FIGUEROA-PADILLA; JOSE
HERNANDEZ; RAYMUNDO NOE
DOMINGUEZ VIDAL; ROBERTO
CARLOS FRANCO GUARDADO; and all
those similarly situated ,

16 Plaintiffs,

17 v.

18 U.S. IMMIGRATION AND CUSTOMS
19 ENFORCEMENT; TAE JOHNSON, Acting
20 Director of U.S. Immigration and Customs
Enforcement; MOISES BECERRA, Director of
the San Francisco Field Office of U.S.
Immigration and Customs Enforcement; THE
21 GEO GROUP, INC.; NORBAL VAZQUEZ,
22 Facility Administrator of Mesa Verde ICE
Processing Center; MINGA WOFFORD,
23 Facility Administrator of Golden State Annex,

24 Defendants.

Case No. 3:23-cv-00829-TLT

**DECLARATION OF
RAYMUNDO NOE DOMINGUEZ
VIDAL IN SUPPORT OF
PLAINTIFFS’ SECOND MOTION
FOR A TEMPORARY
RESTRAINING ORDER**

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15 *Attorneys for Plaintiffs*
16 **Admitted pro hac vice*

DECLARATION OF RAYMUNDO NOE DOMINGUEZ VIDAL

I, Raymundo Noe Dominguez Vidal, declare under penalty of perjury that the following is true and correct:

1. I make this declaration based on my personal knowledge and information I believe to be true and, if called as a witness, could testify truthfully to these facts.

2. I am an individual plaintiff in the above-captioned case. I am currently detained at the El Paso Service Center in Texas, where I have been detained since Tuesday, March 7, 2023. Before being transferred to El Paso, I was detained at Mesa Verde ICE Processing Center in Dorm C.

3. At Mesa Verde, I had been participating in a peaceful hunger strike since February 17, 2023. I joined the hunger strike because I want to improve various conditions at Mesa Verde, including access to medical care, better food, and to be treated humanely and listened to by the staff at the facility. I was also participating in the hunger strike seeking to be released from the facility.

4. I participated in the hunger strike at Mesa Verde for more than two weeks, until I was forcefully and violently removed from the facility on March 7, 2023.

5. I was awoken early in the morning of Tuesday, March 7 by GEO officers. Officer Saso threw my blanket to the side, and Officer Morales woke me up by pulling my legs. At that time, Officers Ruiz, Ruelas, and Garcia arrived. Officer Garcia had a camera and was recording. They began yelling, telling me that they were taking me to receive medical care. I had not requested medical care nor was I feeling ill that morning. I asked them to not take me. They ignored me and Officer Morales pulled me again by my feet. I told them to wait so I could get up. The officers left and returned later in full military gear. There were additional GEO officers that returned with them as well as Doctor Baruiz.

6. I did not resist. Yet they handcuffed me and took me to the lower level in the facility. They placed me in a cell where I started to feel dizzy. I fainted and fell to the floor. I was laying on the floor crying because of how dizzy I was feeling when officers came in to get me. Doctor Baruiz asked for permission to go inside the cell. I told the doctor I was feeling dizzy, but the doctor told me I had to get up. I couldn't get up because of how I was feeling. An ICE official named Starr said, "We don't have time for that." When I asked him how I would get up if I couldn't get up, I was pulled violently and dragged by Officer Morales and an ICE officer. When I was on the floor, Officer Morales kicked me on my back. I got kicked several times. I

1 am still in a lot of pain because of how violently they kicked me. I asked them why they were doing that, and
2 Officer Starr said they were following orders. There were several officers near me. Officer Garcia was
3 recording what was happening.

4 7. Because I couldn't move, Officer Morales picked me up and hurled me on his body. Someone
5 else told him to be careful with my head because my head could break if I fell. Officer Morales responded
6 saying he didn't care. I was picked up like trash and without caring if they harmed me in the process. There
7 were at least two other detainees nearby observing what was happening: Pedro and Jose. Pedro and Jose kept
8 telling the officers to leave me because I have diabetes. Instead of listening to them, the officers yelled "who
9 cares, be quiet" and closed the curtain to prevent Pedro and Jose from seeing what was happening.

10 8. I was then dragged on the floor towards the van where we were being transported. I could not
11 move so they brought out a wheelchair and sat me on the wheelchair by the van. By the van, there were
12 additional ICE officers, including Officers Starr, Vasquez, Nancy Gonzalez, Denman, and Meneses. They
13 were laughing and mocking us, applauding amongst themselves because we were being transferred.

14 9. I was loaded onto the van using a ramp for the wheelchair. Pedro was also transported in the
15 same van. Inside the van and once we got off, Pedro asked to speak to an attorney but was denied access to
16 an attorney.

17 10. Once on the plane, I was separated from other detainees so we could not communicate. I told
18 an ICE officer I was not feeling well and that I had a strong headache. The officer looked away and said we
19 were bothering them. I never received treatment for my pain.

20 11. Pedro later seemed to faint on the plane. The ICE officers ignored him for approximately five
21 minutes saying nothing would happen to him until they saw him falling from his seat and finally started to
22 attend to him by checking his blood pressure. Pedro asked to be taken to a hospital but was told no by ICE,
23 that we couldn't return. Jose also started feeling ill during the plane ride.

24 12. Since that day, I have been feeling nervous and everything hurts, especially my back. I have
25 been talking to a psychologist, Wiggs, at El Paso about all that happened.

26 13. In El Paso, Doctor Alvarado has been monitoring me. I received some medical exams. I have
27 also had eye exams because I was having trouble seeing from my right eye. On Thursday, March 9, I was
28

1 taken to see a specialist for the eyes. However, I was never seen by the doctor. I was there with officers from
2 the detention facility waiting for six hours until we finally left the doctor’s office without being seen. We left
3 because it was not clear that the specialist would see me.

4 14. I have been told that I will be returned to Mesa Verde if I eat. I have temporarily broken the
5 hunger strike so I can be returned to Mesa Verde. Since I started eating, I was told that I need sodium in my
6 body. I have been given additional meals to increase my sodium levels. I was given a hamburger and told I
7 would be getting enchiladas. I have started eating so I can return to Mesa Verde. I believe I am ready to
8 return. I also believe I could have received the medical care I have received here, including the meals they
9 are giving me, at Mesa Verde.

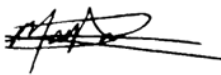
10 15. I would also like to return to Mesa Verde to continue pursuing my immigration case. I have a
11 pending petition for review before the Ninth Circuit, which was filed on March 7. I have lived in this country
12 as a Lawful Permanent Resident for 25 years and plan to continue fighting my deportation.

13 I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.
14 Executed on March 10, 2023 in El Paso, Texas.

15 /s/ SEE ATTESTATION BELOW
16 Raymundo Noe Dominguez Vidal

17
18 I, Mayra B. Joachin, attest that I am fluent in English and Spanish and that I read the foregoing
19 declaration to Raymundo Noe Dominguez Vidal in Spanish and he affirmed that it is true and correct. I
20 further attest that I was not able to obtain his physical signature for this declaration because he is detained in
21 El Paso, Texas, and I am located in Los Angeles, California today.

22
23 Dated: March 10, 2023

24 
25 _____
26 Mayra B. Joachin
27 Attorney for Plaintiffs
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