

**THE UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT**

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No. 17-1351

INTERNATIONAL REFUGEE ASSISTANCE PROJECT, a project of the Urban Justice Center, Inc., on behalf of itself; HIAS, INC., on behalf of itself and its clients; MIDDLE EAST STUDIES ASSOCIATION OF NORTH AMERICA, INC., on behalf of itself and its members; MUHAMMED METEAB; PAUL HARRISON; IBRAHIM AHMED MOHOMED; JOHN DOES #1 & 3; JANE DOE #2

*Plaintiffs – Appellees,*

v.

DONALD J. TRUMP, in his official capacity as President of the United States; DEPARTMENT OF HOMELAND SECURITY; DEPARTMENT OF STATE; OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE; JOHN F. KELLY, in his official capacity as Secretary of Homeland Security; REX W. TILLERSON, in his official capacity as Secretary of State; DANIEL R. COATS, in his official capacity as Director of National Intelligence

*Defendants – Appellants.*

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On Appeal from the United States District Court, District of Maryland,  
The Honorable Theodore D. Chuang, United States District Judge  
(8:17-cv-00361-TDC)

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**MOTION FOR LEAVE TO FILE SUPPLEMENTAL ATTACHMENTS TO  
BRIEF OF *AMICI CURIAE* AIRPORT ATTORNEYS COALITION**

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**MOTION FOR LEAVE TO FILE SUPPLEMENTAL ATTACHMENTS TO  
BRIEF OF AMICI CURIAE AIRPORT ATTORNEYS COALITION**

After conferring with all parties, the undersigned members of the *amici curiae* Airport Attorneys Coalition respectfully move this Court for leave to file supplemental attachments to their *amici curiae* brief filed on April 19, 2017, and accepted by the Court on April 21, 2017. In support of this motion, *amici* state as follows:

1. *Amici* conferred with all parties regarding this motion. Petitioners-Appellees consented; Defendants-Appellants took no position on the filing.

2. *Amici* request leave from this Court to file supplemental declarations from *amici*-declarants Ofelia Calderón and Sirine Shebaya in support of their brief. These supplemental declarations are provided to inform the Court of new information learned shortly after the brief and supporting declarations were filed. The newly acquired information changes representations made in the original Calderón declaration at paragraph 12 (Attachment E at ATT-25) and Shebaya declaration at paragraph 11 (Attachment M at ATT-50) and cited on pages 11 and 12 of the *amicus curiae* brief.

3. Specifically, in their original declarations, *amici*-declarants Calderón and Shebaya stated that their clients, the Aziz brothers, were:

detained and handcuffed by CBP, forced to sign form I-407 relinquishing their lawful permanent resident status, and sent to Ethiopia where, upon information and belief, they currently

remain. They were not given copies of any of the documents they signed. At no point during their detention were they allowed access to counsel.

Calderon Decl. ¶ 12 (Attachment E at ATT-25); Shebaya Decl. ¶ 11 (Attachment M at ATT-50).

4. The day after *amici* filed the brief, an attorney for the Aziz brothers who represented them in habeas litigation before the Eastern District of Virginia informed declarants of new information. *Amici*-declarants provide the attached supplemental declarations with the following paragraph to replace the at-issue paragraphs in their declarations:

I have since learned that my clients were forced to sign forms withdrawing their application for admission and relinquishing their immigrant visas, and sent to Ethiopia where they remained for some time. Attorneys representing them in the lawsuit filed in the Eastern District of Virginia eventually secured their return to the United States. They were not given copies of any of the documents they signed. At no point during their detention were they allowed access to counsel.

5. The facts as now known were not known to declarants at the time of filing, and the declarations were true to the best of the declarants' knowledge at the time the declarations were filed.

6. These supplemental attachments are provided to the Court to give full and complete insight into useful facts presented in this case.

For the foregoing reasons, *amici* respectfully request permission to file supplemental attachments to their brief *amici curiae* in support of Plaintiffs-Appellees.

Dated: April 24, 2017

By: /s/ Michael B. Roberts  
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**CERTIFICATE OF CONFERENCE**

The undersigned counsel certifies that Reed Smith LLP obtained consent to this motion from counsel to Petitioners-Appellees in this case. Counsel for Defendants-Appellants took no position on the filing. Specifically, counsel for amici conferred with Ms. Swingle of the Department of Justice and Mr. Rocah of the ACLU regarding the filing of this motion.

Dated: April 24, 2017

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**CERTIFICATE OF SERVICE**

I certify that on this 24th day of April, 2017, I served the foregoing Motion for Leave to File Supplemental Attachments to Brief of *Amici Curiae* in Support of Appellees via the Court's ECF system upon all counsel.

Dated: April 24, 2017

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## CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(a)(G)(1)), the undersigned counsel certifies that this motion:

(i) complies with the type-volume limit of Fed. R. App. P. 27(a)(2)(B) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 462 words.

(ii) complies with the typeface requirements of Rule 32(a)(5) and the type style requirements of Rule 32(a)(6) because it has been prepared using Microsoft Office Word and is set in Times New Roman font in a size equivalent to 14 points or larger.

Dated: April 24, 2017

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