

ATTACHMENT Q

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

No. 17-1351
(8:17-cv-00361-TDC)

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

SUPPLEMENTAL DECLARATION OF SIRINE SHEBAYA

I, Sirine Shebaya, upon my personal knowledge, declare under threat of perjury as follows:

1. My name is Sirine Shebaya. I am a civil rights lawyer in Washington, D.C. and an *amicus* in the Airport Attorneys Coalition *Amici Curiae* brief.
2. On April 19, 2017, I submitted a declaration in connection with an *amicus* brief in this action filed by a coalition of airport attorneys, Attachment M (ATT-49-51).
3. In an abundance of caution and deference to the Court and in order to ensure the accuracy of the factual record, I wish to make the Court aware of new information that was not known by me when I submitted my declaration on April 19, 2017.
4. On April 20, 2017, I spoke with Simon Sandoval-Moshenberg, an attorney with the Legal Aid Justice Center, after he read our filed *amicus* brief and my declaration. He brought to my attention, for the first time, that some of the details described in my declaration have since been found to be different from our original understanding of the facts.

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5. Specifically, in paragraph 11 of my declaration, I stated:

I have since learned that my clients 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.

6. Mr. Sandoval-Moshenberg informed me for the first time, however, that the clients we were attempting to see were coerced into signing documents *withdrawing their application for admission and relinquishing their immigrant visas* (rather than Form I-407 documents relinquishing their Lawful Permanent Resident status). He also reminded me that although they were sent to Ethiopia *where they remained for some time*, attorneys eventually secured their return to the United States through litigation. Finally, he informed me for the first time that the clients were not handcuffed (but rather fingerprinted) and were deported early in the day on Saturday January 28, 2017, before we attempted to gain access to them. Nevertheless, at no point were they permitted to seek the advice of an attorney.

7. Accordingly, my declaration should read:

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.

8. I believe that this new information about what transpired with our clients does not change the sum and substance of the brief.

I, Sirine Shebaya, declare under the penalties and pains of perjury and under the laws of the United States that the foregoing is true and correct to the best of my knowledge.

/s/Sirine Shebaya
Signature

April 21, 2017
Date