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17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

19 **UNITED STATES OF AMERICA,**
 20 Plaintiff,
 21 v.
 22 **STATE OF CALIFORNIA, et al.,**
 23 Defendants.

NO. 2:18-CV-00490-JAM-KJN

**PLAINTIFF'S NOTICE OF FILING
CORRECTED DECLARATIONS**

Judge: Hon. John A. Mendez

24
 25 The United States of America hereby respectfully submits this Notice of Filing of
 26 Corrected Declarations in order to correct certain discrete factual information in two of the
 27 declarations the United States submitted in support of its Motion for Preliminary Injunction, ECF
 28 No. 2.

1 Attached hereto are the amended declarations of Thomas D. Homan, Deputy Director and
2 Senior Official Performing the Duties of the Director, U.S. Immigration and Customs
3 Enforcement, and Todd Hoffman, Executive Director, Admissibility and Passenger Programs,
4 Office of Field Operations, U.S. Customs and Border Protection, correcting the previously
5 submitted declarations, as well as a supplemental declaration from each official explaining the
6 corrections that were made. *See* Exhibits A-D, attached hereto.

7 The corrections to the Homan declaration are to paragraphs 19, 44, and 78. Paragraph 19
8 incorrectly referred to the number of aliens booked-in to ICE detention facilities in California,
9 instead of the number of aliens apprehended in California. Paragraph 44 clarifies one sentence to
10 make plain that a detainer was issued against an alien after his arrest, but prior to his later
11 conviction, for felony child cruelty, among other offenses. The alien was released without notice
12 after that conviction. It also corrects a typographical error to a date. Paragraph 78 has been
13 corrected to reflect that the alien in that paragraph, who was charged with multiple counts of child
14 abuse, while initially denied parole, was later paroled into the United States after the local
15 California law enforcement agency provided assurances, in apparent conflict with SB 54, to notify
16 ICE should the alien post bail, be acquitted, or if probable cause were not found. *See* Declaration
17 of Thomas D. Homan, attached hereto as Exhibit A.

18 The corrections to the Hoffman declaration are to paragraphs 8 and 15. In paragraph 8, a
19 typographical error mistakenly indicated that Los Angeles International Airport is the third largest
20 airport in the county by international passengers loaded when it is the second. In paragraph 15, it
21 indicated that CBP was unable to take custody of two aliens who are the subject of that paragraph.
22 However, due to an anonymous telephone tip of the release date, CBP was able to apprehend
23 those two aliens in the jail parking lot. *See* Declaration of Todd Hoffman, attached hereto as
24 Exhibit C.

1 DATED: April 2, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 2, 2018, I electronically transmitted the foregoing document to the Clerk’s Office using the U.S. District Court for the Eastern District of California’s Electronic Document Filing System (ECF), which will serve a copy of this document upon all counsel of record.

By: /s/ Lauren C. Bingham
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