

DECLARATION OF CARLOS LOPEZ BENITEZ

I, Carlos Lopez Benitez, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently and truthfully to these matters.
2. I came to the United States from Paraguay in May 2023. I had to flee my country after I was attacked and threatened multiple times and feared for my life.
3. I lived in Queens, New York with one of my sisters, who is a U.S. citizen. I worked in construction. I have never been arrested and I do not have a criminal history in any country. I attended my immigration proceedings, and although it took me a long time to save the money, I paid a private attorney to help me prepare my asylum application.
4. On July 16, 2025 I attended a hearing in my immigration court case at 26 Federal Plaza. I have two sisters who are U.S. citizens and both came with me. The hearing was normal. I filed more evidence in my asylum case and proof my sister had petitioned for me. I got a date to come back for my merits hearing in 2029.
5. As I left, officers in the hallway surrounded me right outside the door. I did not resist in any way, but my sister asked them why they were doing this and they pushed her and threw her to the ground. The whole experience was very upsetting for me and my sisters.
6. The officers at 26 Federal Plaza lied to me and put a lot of pressure on me to agree to self deport. After I was detained, I was moved to another floor and processed and fingerprinted. An officer asked me if I wanted to continue pursuing my case. I told him that I did and told me that because my next court date wasn't until 2029 I would have to spend all that time in detention to keep pursuing asylum. He said, "you will have to wait until then."
7. One of the officers who arrested me showed me a photo of myself being detained on a phone screen. In the photo I was crying and the officer mocked me for crying. I was so upset and depressed.
8. When I got into the room with other people I began to cry again because it was so much time to spend in detention. I was in shock I would have to spend four years detained before even having my hearing. I felt extremely depressed.
9. No one explained why I was being arrested. I asked why they were doing this and an ICE officer said "it's a new government." After that they didn't tell me anything.
10. In total, I was at 26 Federal Plaza for three days before I was moved to Texas. I was in a room with 40 or 50 people. The guards there only give us an aluminum blankets to put on the floor to sleep, there are no cushions or mattresses. Many people in the room with me

had been there for a long time. Among those I spoke with, there was someone who had been there for 15 days, and someone else there for 10 days.

11. We got food twice a day, at 8 a.m. and 8 p.m. The food they gave us looked like dog food. I did not think it was edible. It was only my second night there that I became so hungry that I ate it. It was disgusting.
12. I was not able to bathe during my time at 26 Federal Plaza. There were no showers and they did not provide us with any way to brush our teeth. The toilets are in the same room so there is no privacy. We would try to cover ourselves with the aluminum blanket because of the lack of privacy.
13. It was very cold. The guards kept the air conditioning on all the time even at night. We only had the aluminum blanket and had to sleep on the floor so I was freezing.
14. Many people in the room with me were getting sick. And people are depressed, thinking of accepting their deportation. What gave me hope was my sisters, telling me to remain strong. They were trying to get me help and on July 18, two days after I was detained, some nonprofit lawyers filed a habeas petition for me. It is possible that is why I was moved from 26 Federal more quickly than other people I met.
15. I was allowed to make one call from my own cell phone the first day that I was detained. That was my only call at 26 Federal Plaza that did not have a very short time limit. I was able to speak for around 20 minutes. But after that, the guards took my phone again and I have not had it since.
16. After that, I was only able to have very short calls once a day. I did not have a lawyer and I did not know that I could request a legal call or how to do that. I was never told that I had a right to speak to a lawyer nor that there was any way to request a confidential legal call, and I never saw any forms that could be used to do this.
17. It would have helped me a lot to speak with an attorney because I was very upset by what the officer told me and I believed I would have to stay detained for four years to continue seeking asylum. If my sisters had not given me the strength to continue, I might have considered accepting deportation like many others with me at 26 Federal Plaza decided to do.
18. After three days I was moved to Joe Corley Detention Center in Texas. I was finally able to have a legal call on July 26, ten days after I was detained. I felt a lot better after I could speak with a lawyer and get a better understanding of what was happening and also learn that it is not true I will have to remain detained waiting for my court date in 2029.
19. The conditions in Texas were better than 26 Federal Plaza although it was still a miserable place. People were extremely depressed and upset, especially because we had done nothing wrong.

Executed on 7 of August, 2025



Carlos Lopez Benitez

ATTESTATION AND CERTIFICATE OF TRANSLATION

I, Lilian M. Lopez Benitez, certify that I am fluent in both English and Spanish. On 8/07/25, I personally spoke with Carlos Lopez Benitez and read the foregoing declaration to him, translated into Spanish faithfully and accurately, over the phone. Carlos Lopez Benitez affirmed that he understood my translation and that the information in the above declaration is true and accurate.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct



Name:

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Flushing, NY 11355