

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION**

Mario Alexander GUEVARA,

Petitioner,

v.

George Sterling, in his official capacity as Director
of the Atlanta Field Office, Immigration and
Customs Enforcement *et al.*,

Respondents.

Case No. 2:25-cv-00104-LGW-BWC

DECLARATION OF JESSICA CALMES

I, Jessica Calmes, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct to the best of my knowledge:

1. I am over the age of 18, am competent to give this declaration, and testify from my own personal knowledge regarding the facts in this declaration.

2. I am an attorney with Diaz & Gaeta and represent Petitioner Mario Alexander Guevara in his immigration proceedings. I am also co-counsel in this action. I submit this declaration in support of Petitioner's Emergency Motion for a Temporary Restraining Order and/or Preliminary Injunction.

3. On June 14, 2025, Mr. Guevara was arrested while covering a protest organized to express opposition to the Trump administration in DeKalb County and detained at the DeKalb County Jail. Following his arrest, U.S. Immigration and Customs Enforcement lodged a detainer against Mr. Guevara.

4. On June 16, 2025, despite the DeKalb County Magistrate Court's order releasing Mr. Guevara on bond, Mr. Guevara remained in custody at the DeKalb County Jail as a result of the ICE

detainer.

5. On June 18, 2025, ICE took Mr. Guevara into its custody and transferred him to the Folkston ICE Detention Center.

6. On July 1, 2025, immediately following the Immigration Judge's summary order granting Mr. Guevara release on bond, Mr. Guevara's son, Oscar Guevara, attempted to pay the \$7,500 bond online. However, each time he tried to submit payment, he received a message stating that his father was not releasable.

7. On July 2, 2025, Oscar took a cashier's check to the ICE Atlanta Field Office to attempt to pay the bond in person but was informed that ICE was appealing the bond and would not accept the check. Later that same day, I went to the ICE Atlanta Field Office to attempt to pay Mr. Guevara's bond in person. I was informed by an official at the Field Office that, notwithstanding the Immigration Judge's order, ICE was holding Mr. Guevara until Gwinnett County was able to transfer him into its custody.

8. On July 2, 2025, Gwinnett County dismissed two of the three misdemeanor traffic charges it filed against Mr. Guevara on June 17, 2025.

9. On July 3, 2025, Gwinnett County transferred Mr. Guevara to the Gwinnett County Jail where he was booked for the then-remaining single misdemeanor traffic charge and had his two phones, including his work phone, confiscated. That day, the Gwinnett County Magistrate Court automatically set bond for Mr. Guevara, which his family promptly paid. However, Mr. Guevara was not released but transferred once again, this time to the Floyd County Jail, where he was once again held on an ICE detainer.

10. On July 8, 2025, ICE transferred Mr. Guevara to the Federal Correctional Institution in Atlanta.

11. On July 10, 2025, Gwinnett County dismissed the remaining misdemeanor traffic charge it filed against Mr. Guevara on June 17, 2025. That day, he was transferred back to the Folkston ICE Processing Center.

12. As of July 10, 2025, there are no criminal charges pending against Mr. Guevara.

13. It has been difficult to communicate in a timely or regular manner with Mr. Guevara while he has been detained at the Folkston ICE Processing Center. Currently, when seeking a legal videoconference, there is typically a 7-10 day wait.

14. The delays in communicating with Mr. Guevara during his detention have made it difficult to prepare his habeas petition and Emergency Motion. Counsel for Mr. Guevara would have filed the petition and motion sooner but for these delays.

Executed this 20th day of August, 2025



Jessica Calmes