

EXHIBIT D

Declaration of Linette Tobin

I, Linette Tobin, do hereby declare the following under penalty of perjury:

1. I am the immigration attorney for Jerce Reyes Barrios, born in January 16, 1989 in Venezuela.
2. In February and March 2024, Mr. Reyes Barrios marched in two demonstrations in Venezuela protesting the authoritarian rule of Maduro. At the second demonstration, he was detained and taken to a clandestine building where he was tortured (electric shocks and suffocation) along with other demonstrators.
3. Shortly after his release, he fled Venezuela for the United States. He registered with CBP One in Mexico, then presented himself to CBP officials on the day of his appointment. He was taken into custody and detained at Otay Mesa Detention Facility in September 2024.
4. We applied for asylum, withholding of removal, and CAT protection in December 2024. His final individual hearing is set for April 17, 2025 before Judge Robinson at the Otay Mesa Immigration Court.
5. On March 15, 2025, Mr. Reyes Barrios was deported to El Salvador with no notice to counsel or family. It was not until March 18, 2025 that counsel was able to reach an ICE official and learn that he had in fact been deported.
6. Mr. Reyes Barrios was/is a professional soccer player in Venezuela. He has never been arrested or charged with a crime. He has a steady employment record as a soccer player, as well as a soccer coach for children and youth.
7. Initially, Mr. Reyes Barrios was placed in maximum security at Otay Mesa and accused of being a Tren de Aragua gang member. The accusation is based on two things. First, he has a tattoo on his arm of a crown sitting atop a soccer ball with a rosary and the word "Dios." DHS alleges that this tattoo is proof of gang membership. In reality, he chose this tattoo, because it is similar to the logo for his favorite soccer team Real Madrid. See logo below.



Real Madrid logo



Mr. Reyes Barrios tattoo

8. Second, DHS reviewed his social media posts and found a photo of Mr. Reyes Barrios making a hand gesture that they allege is proof of gang membership. In fact, the gesture is a common one that means I Love You in sign language and is commonly used as a Rock&Roll symbol.

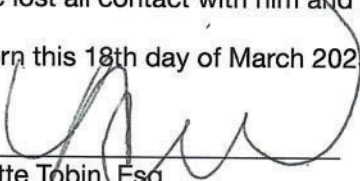


Mr. Reyes Barrios' social media post

9. After submitting a police clearance from Venezuela indicating no criminal record, multiple employment letters, a declaration from the tattoo artist who rendered the tattoo, and various online images showing similar soccer ball/crown tattoos and explaining the meaning of the hand gesture, Mr. Reyes Barrios was transferred out of maximum security.

10. Nevertheless on March 10th or 11th, he was transferred from Otay Mesa to Texas without notice. Then, on March 15, 2025, he was deported to El Salvador. Counsel and family have lost all contact with him and have no information regarding his whereabouts or condition.

Sworn this 18th day of March 2025.



Linette Tobin, Esq.
Counsel for Jerce Reyes Barrios