

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)
)
 v.) NO. 3:25-cr-00115
)
) JUDGE CRENSHAW
)
 KILMAR ARMANDO ABREGO GARCIA)

GOVERNMENT’S STATUS REPORT

COMES NOW the United States of America, by and through Robert E. McGuire, Acting United States Attorney, and submits the following Status Report pursuant to this Court’s prior Order (DE # 132). Undersigned counsel has reviewed the Court’s Order of July 31, 2025 (DE # 101), Local Criminal Rule 2.01(a)(1) and Tennessee Rule of Professional Conduct 3.8(f)¹.

Counsel of record, unlike defense counsel², has made no public comments whatsoever on this matter since the start of the proceedings here. Similarly, no agent or supervisor assigned to the Nashville office of Homeland Security Investigations (HSI - Nashville), which is the investigating agency responsible, has made any public comment about this case since the start of proceedings here. Finally, no attorney or agent assigned to Task Force Vulcan, which is assigned to support undersigned counsel on this case, has made any public comment about this case.

¹ Mr. Harley, who is also counsel of record in this case as *pro hac vice*, is not a member of the Tennessee bar but has reviewed both the Tennessee Rule of Professional Responsibility cited by the Court and the Local Rules of this district.

² The Government has previously noted public comments by defense counsel of record that were widely disseminated in the media. (DE # 121, PageID # 1373, FN4.) By contrast, while the defense has preciously cited comments made by senior government officials about this case, the Government’s counsel of record in the case (and our Task Force Vulcan partners) have not made any comment personally about this matter. Moreover, the Government submits that that the comments made by defense counsel of record, as described in prior pleadings, have attempted to mislead the public about the true facts regarding the parties’ plea discussions in an effort to inaccurately and unfairly portray the Government’s good faith negotiation efforts at resolution as coercive.

In the Court’s July 31, 2025, order (DE # 101) the Court ordered: “All counsel and those working with counsel shall ensure that any proper public communications include that the Indictment only contains allegations.” Undersigned counsel, Task Force Vulcan members, and members of HSI Nashville—who are “those working with [undersigned] counsel” on this case—have not contributed to, been consulted about, or had any prior knowledge of any public comments made by other members of the Department of Justice or the Department of Homeland Security concerning this case prior to the making of such comments.

Respectfully Submitted,

/s/ Robert E. McGuire
ROBERT E. MCGUIRE
Acting United States Attorney
719 Church Street, Suite 3300
Nashville, TN 37203

/s/ Jason Harley
JASON HARLEY
Task Force Vulcan