

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

Juan Manuel MONTES BOJORQUEZ,

Plaintiff,

V.

UNITED STATES CUSTOMS AND
BORDER PROTECTION et al.,

Defendants.

CIVIL ACTION

NO. 17-CV-780 GPC NLS

Declaration of Leslie Itzel Ramirez Vega

I, Leslie Itzel Ramirez Vega, make this declaration based on my personal knowledge and, if called to testify, I could and would do so competently as follows:

1. My name is Leslie Itzel Ramirez Vega. I am 23 years old and have lived in Fallbrook, California, which is in Northern San Diego County, since the fall of 2016. I live with my godparents and three-year-old U.S. Citizen daughter.

2. I am originally from Mexicali, Baja California, Mexico. I moved to Fallbrook to work as a housekeeper in a hotel nearby. I currently work Mondays through Fridays and leave my house at approximately 5:30 a.m. to take a bus to the hotel where I work. I arrive at work by 8:30 a.m. and leave at approximately 5:00 p.m. I usually do not get home from work until 8:00 p.m.

3. My mother and brother still live in Mexicali. My daughter's father, with whom I am no longer in a relationship, also lives in Mexicali.

4. Before I moved to Fallbrook, I worked as a farm worker in and around Calexico, California and in other parts of Imperial County. Mexicali and Calexico are border cities, directly across from one another, and divided only by the U.S.-Mexican border. I started working in the fields around Calexico sometime in 2014. I would shuttle back and forth between Mexicali and Calexico to do farm work. I would return to Mexicali at the end of the work day. Sometimes, however, I would follow the crops from one farm to another.

5. I met Juan Manuel Montes Bojorquez ("Juan Manuel") sometime in 2015-2016 when we both worked as farm workers. I do not recall if we ever spoke at work, but we knew each other by sight. We would see each other in the fields while working.

6. At some point in 2015 or early 2016, Juan Manuel contacted me via Facebook. We began exchanging messages and became friends. However, I do not think we saw each other in person until I moved to Fallbrook in 2016. I recall that he visited me twice in Fallbrook, which is at least a two-hour drive from where he lived in Imperial County. Both times he came to my godparents' house and we hung

out and talked for a few hours outside my house. We did not go anywhere but my godparents' house. The last time he visited me was in mid-January 2017.

7. During my conversations with Juan Manuel, he would usually speak about Mexicali in negative terms. He described it as a crime-ridden, dangerous place that he had no interest in visiting. At some point I believe I invited him to visit Mexicali, my hometown, so that he could see that it was not such a bad place. That is when he told me that he had a permit to be in the United States, but that he could not travel to Mexico.

8. I did not know what kind of permit Juan Manuel had. I was not familiar with the Deferred Action for Childhood Arrivals program and only learned about it after Juan Manuel was deported, and Juan Manuel never mentioned or described it to me. He was very clear with me, however, that he could not go to Mexico. I understood that, if Juan Manuel went to Mexico, he would not be able to come back to the United States. For this reason, he never visited me in Mexicali.

9. On or about February 16, 2017, I informed Juan Manuel that I would be visiting Mexicali that weekend to pick up my daughter, whom I had left with her father in Mexicali for a couple weeks while I worked and lived in Fallbrook.

10. On or about Friday, February 17th, Juan Manuel and I agreed to meet on the U.S. side in Calexico on Saturday night. Calexico is much closer to where

Juan Manuel lived than is Fallbrook. We agreed to meet in Calexico since we both knew that Juan Manuel could not travel to Mexicali to see me because of his immigration situation. It would be easy for me to meet him in Calexico since I am a lawful permanent resident who can travel between the U.S. and Mexico. I believe we discussed meeting at the Jack-in-the-Box restaurant across the street from the Calexico Port of Entry, and that I would go back to Mexicali and he would go home after we hung out for a little bit.

11. That Saturday, February 18, 2017, Juan Manuel called me a couple of times that night before I went out with my friends, but I never responded. I had decided that I wanted to spend time with my friends that night in Mexicali instead of going to Calexico to meet Juan Manuel. I felt bad about canceling our plans, but I did not know him that well and figured it would be okay not to respond. I ended up going out with four friends of mine that night. We went to a bar/club in Mexicali. I do not drink alcohol, and so I was sober that night and not on any medication.

12. At about 1:00 a.m. Sunday morning, when I was still out with my friends, I received multiple calls from Juan Manuel. I eventually answered the phone. He told me that he was in Mexicali and that he had just been kicked out of the U.S. by immigration. At first, I thought he was joking. I couldn't believe he was in Mexico because I knew he wasn't allowed to leave the United States. Juan

Manuel told me he didn't know what to do. I asked him where he was, and he described a convenience store that I recognized near the Port of Entry in Mexicali.

13. While on the phone with Juan Manuel, I gave him the address where I was and told him to take a taxi to come meet me. I walked out of the bar to meet him outside. I was in shock when I saw him. He looked very sad. I recall that he kept looking down and would not look at me. I kept asking him what had happened and how it was possible he was in Mexicali. It was obvious that he wanted to cry, and I remember that instead of answering he just hugged me. I believe I asked him whether he had lied to me about his immigration status because it was so hard for me to believe that he could be in Mexico. Juan Manuel said no and that I very well knew he could not travel to Mexico, and explained that he had been deported. The entire time Juan Manuel could barely talk. He was holding back tears, and it was clear to me that he was too embarrassed to cry in front of me. Juan Manuel told me that he didn't understand why he had been kicked out and didn't know what to do.

14. I wanted to cry too, because I was in total shock and felt terrible for Juan Manuel. I knew he was embarrassed and scared and did not know what to do. Eventually I invited him to come inside the bar, because I thought it might make him feel better. He said no and said something like, "look at me, I look like this, I can't go in." He was in jeans and a sweatshirt, clothes he might wear to work. He was

not wearing clothes that one would wear to go to a bar or a club. It seemed to me that he was very emotional and embarrassed.

15. I felt bad that I had left my friends inside the bar and at the same time I felt bad leaving Juan Manuel outside. Juan Manuel stayed with me in the street talking for about 30 minutes. I asked him where he would go and he said he didn't know. He eventually grabbed a taxi and left. I didn't know where he was going.

16. I did not hear from Juan Manuel again in the early morning of Sunday February 19th because my cell phone battery died. I didn't hear from him until days later through Facebook messenger when he told me he was somewhere else in Mexico staying with family.

17. Since then, Juan Manuel and I have spoken several times. He asked me once whether my mother knew about him and his situation. I understood that he was concerned that my mother would not like him because he did not have legal status in the United States. He is very affected by the fact that he was deported.

18. Juan Manuel is very shy and easily embarrassed. I always tell him not to be embarrassed, that he has nothing to be embarrassed about. I believe Juan Manuel is a hard-working and decent man. As far as I know, he does not drink or smoke or get into trouble.

19. I have no reason to believe that Juan Manuel would have voluntarily crossed the border into Mexicali. He always told me that he had a permit to be in the United States but that he could not travel to Mexico. It was clear when I saw him that night that he was in shock that he had been deported. He was holding back tears and seemed very scared about what to do next.

I declare under penalty of perjury that the above is true and correct to the best of my knowledge.

Signed this ____ of June 2017, in Fallbrook, California.

Leslie Itzel Ramirez Vega



Declaration of Maria Mindlin
Re: Certified Spanish Translation

I, **Maria Mindlin**, declare as follows:

1. I am the Chief Executive Officer of Transcend, a language services company in Davis, California that provides certified translations to the court systems of many U.S. states, including California, Washington, Idaho, New York, Utah, Texas, and Oklahoma.
2. I am a court-certified linguist, and registered as such with the Judicial Council of California with the following identification number: 300240.
3. I have over 20 years of experience in the language industry, including producing court-certified translations for the Judicial Council of California's statewide court forms and website, the National Center for State Courts, the California Secretary of State, and the California Department of Justice.
4. On June 23, 2017, my company, Transcend, was asked to produce a certified Spanish translation of the 7-page *Declaration of Leslie Itzel Ramirez Vega*. The first page of that document lists the parties and case number as follows:
Juan Manuel MONTES BOJORQUEZ, Plaintiff, U.S. CUSTOMS AND BORDER PROTECTION et al., Defendants
Civil Action NO. 17-CV-780 GPC NLS
5. I have personally reviewed the entire Spanish translation of this Declaration. We followed these steps to produce this certified translation:
 - Translation by American Translator Association-certified English-to-Spanish translator. Other qualifications include Masters degree from University of Buenos Aires, Native Spanish Speaker, 20+ years experience professional translator, specialist in legal and consumer translations.
 - After translation, I edited and reviewed the text to conform to the Judicial Council glossary for key legal terminology, standard usage, and faithfulness to the English source text.
 - The next step was proofing. This was done by a third language professional, whose job was to ensure the translated text was complete and key terms were used consistently to mirror the source document.
 - The final step was my review of the proofer's corrections and suggestions and a careful re-reading of the text one last time.
6. After completing this last step, I can affirm that the Spanish translation of this document is, to the best of my knowledge and ability, a faithful, accurate, and complete translation of the source document.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Signed June 29, 2017, at Davis, California.

A handwritten signature in black ink, appearing to read "Maria Mindlin", written over a horizontal line.

2043 Anderson Road, Suite C
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**CORTE DE DISTRITO DE LOS ESTADOS UNIDOS
PARA EL DISTRITO SUR DE CALIFORNIA**

Juan Manuel MONTES BOJÓRQUEZ,)	
)	
Demandante,)	
)	CASO CIVIL
vs.)	
)	NÚM. 17-CV-780 GPC NLS
UNITED STATES CUSTOMS AND)	
BORDER PROTECTION et al.,)	
<i>(Oficina de Aduanas y Protección Fronteriza</i>)	
<i>de EE. UU. et al.,)</i>)	
)	
Demandados.)	
)	

Declaración de Leslie Itzel Ramirez Vega

Yo, Leslie Itzel Ramirez Vega, hago esta declaración basada en mi conocimiento personal y, de ser llamada a prestar testimonio, podría hacerlo y lo haría en forma competente de la siguiente manera:

1. Me llamo Leslie Itzel Ramirez Vega. Tengo 23 años de edad y he vivido en Fallbrook, California, que se encuentra en el norte del condado de San Diego, desde el otoño de 2016. Vivo con mis padrinos y mi hija de tres años de edad, que es ciudadana de los EE. UU.

2. Soy originalmente de Mexicali, Baja California, México. Me mudé a Fallbrook para trabajar como ama de llaves en un hotel de la zona. Actualmente trabajo de lunes a viernes y salgo de mi casa aproximadamente a las 5:30 de la mañana para tomar un autobús al hotel donde trabajo. Llego al trabajo a las 8:30 de

la mañana y salgo aproximadamente a las 5 de la tarde. En general no llego a mi casa del trabajo hasta las 8 de la noche.

3. Mi madre y mi hermano todavía viven en Mexicali. El padre de mi hija, con quien ya no tengo una relación, también vive en Mexicali.

4. Antes de mudarme a Fallbrook, fui trabajadora agrícola en y alrededor de Calexico, California y en otras partes del condado de Imperial. Mexicali y Calexico son ciudades fronterizas que se encuentran una frente a la otra, separadas solo por la frontera entre los EE. UU. y México. Empezé a trabajar en el campo alrededor de Calexico en algún momento del 2014. Iba y venía entre Mexicali y Calexico para hacer trabajos agrícolas. Volvía a Mexicali al fin de la jornada de trabajo. A veces, sin embargo, seguía los cultivos de una granja a otra.

5. Conocí a Juan Manuel Montes Bojórquez (“Juan Manuel”) en algún momento de 2015 o 2016, cuando ambos éramos trabajadores agrícolas. No me acuerdo de haber hablado con él en ningún momento en el trabajo, pero nos conocíamos de vista. Nos veíamos en el campo mientras trabajábamos.

6. En algún momento de 2015 o principios de 2016, Juan Manuel se comunicó conmigo por Facebook. Comenzamos a intercambiar mensajes y nos hicimos amigos. No obstante, creo que no nos vimos en persona hasta que me mudé a Fallbrook en 2016. Recuerdo que me visitó dos veces en Fallbrook, que está a por lo menos dos horas de viaje de donde él vivía en el condado de Imperial. Ambas

veces vino a la casa de mis padrinos y pasamos un rato juntos y hablamos durante un par de horas fuera de mi casa. Nunca fuimos a ningún lado excepto la casa de mis padrinos. La última vez que me visitó fue a mediados de enero de 2017.

7. Durante mis conversaciones con Juan Manuel, en general él hablaba de Mexicali en términos negativos. Él la describía como un lugar peligroso y lleno de crimen, donde no tenía ningún interés en visitar. En cierto momento creo que lo invité a visitar Mexicali, mi pueblo natal, para que pudiera ver que no era un lugar tan malo. Ahí fue cuando me dijo que él tenía un permiso para estar en los Estados Unidos, pero que no podía viajar a México.

8. Yo no sabía qué tipo de permiso tenía Juan Manuel. No estaba familiarizada con el programa de Acción Diferida para los Llegados en la Infancia, y solo me enteré de él después que deportaron a Juan Manuel. Juan Manuel nunca me lo mencionó ni me lo describió. Me dejó bien claro, sin embargo, que él no podía ir a México. Yo interpreté que, si Juan Manuel fuera a ir a México, no podría volver a los Estados Unidos. Por esa razón nunca me visitó en Mexicali.

9. El 16 de febrero de 2017, o alrededor de esa fecha, le dije a Juan Manuel que iba a ir a Mexicali ese fin de semana para recoger a mi hija, a quien había dejado con su padre en Mexicali por un par de semanas mientras yo trabajaba y vivía en Fallbrook.

10. El viernes 17 de febrero, o alrededor de esa fecha, Juan Manuel y yo acordamos en encontrarnos en Calexico, en el lado estadounidense, el sábado por la noche. Calexico está mucho más cerca de donde vivía Juan Manuel que Fallbrook. Acordamos en encontrarnos en Calexico porque ambos sabíamos que Juan Manuel no podía viajar a Mexicali para verme debido a su situación inmigratoria. Para mí era fácil encontrarme con él en Calexico porque yo soy residente legal permanente y puedo viajar entre EE. UU. y México. Creo que hablamos de encontrarnos en el restaurante Jack-in-the-Box frente al Puerto de Entrada de Calexico, y que después yo volvería a Mexicali y él se iría a su casa después de pasar un rato juntos.

11. Ese sábado 18 de febrero de 2017, Juan Manuel me llamó un par de veces por la noche antes de que yo saliera con mis amistades, pero yo nunca le contesté. Decidí que quería pasar tiempo con mis amigos esa noche en Mexicali en vez de ir a Calexico para reunirme con Juan Manuel. Me sentí mal por cancelar nuestros planes, pero yo no lo conocía bien y pensé que era aceptable no responder. Terminé saliendo con cuatro amigos míos esa noche. Fuimos a un bar/club en Mexicali. Yo no tomo alcohol, así que estuve sobria esa noche y no había tomado ningún medicamento.

12. Alrededor de la 1 de la mañana el domingo de madrugada, cuando todavía estaba con mis amigos, recibí múltiples llamadas de Juan Manuel. Finalmente contesté el teléfono. Me dijo que estaba en Mexicali y que acababa de

ser echado de los EE. UU. por inmigración. Al principio pensé que estaba bromeando. No podía creer que estaba en México porque sabía que no podía salir de los Estados Unidos. Juan Manuel me dijo que no sabía qué hacer. Le pregunté dónde estaba, y me describió una tienda de abarrotes que reconocí cerca del Puerto de Entrada en Mexicali.

13. Mientras estaba hablando por teléfono con Juan Manuel, le di la dirección donde estaba y le pedí que tomara un taxi para encontrarse conmigo. Salí del bar para encontrarme con él afuera. Cuando lo vi, no lo podía creer. Estaba muy triste. Recuerdo que tenía la vista hacia abajo y no me quería mirar. Le pregunté una y otra vez qué había pasado, y cómo era posible que estuviera en Mexicali. Era obvio que quería llorar, y recuerdo que en vez de contestarme simplemente me abrazó. Creo haberle preguntado si me había mentido sobre su situación migratoria, porque me costaba tanto creer que estuviera en México. Juan Manuel me dijo que no, y que yo sabía bien que no podía viajar a México, y me explicó que había sido deportado. Durante todo este tiempo, Juan Manuel apenas podía hablar. Estaba a punto de llorar, y era obvio que estaba demasiado avergonzado para llorar delante de mí. Juan Manuel me dijo que no comprendía por qué lo habían deportado y que no sabía qué hacer.

14. Yo también quería llorar, porque estaba en estado de shock y me sentía muy mal por Juan Manuel. Sabía que él estaba avergonzado y asustado, y que no

sabía qué hacer. Al final le invité a entrar en el bar porque pensé que lo haría sentir mejor. Se negó y me dijo algo así: "Mírame como estoy, así no puedo entrar". Tenía puesto un par de jeans y un suéter, como para ir al trabajo. No tenía ropa como la que uno se pondría para ir a un bar o un club. Me pareció que estaba muy conmovido y avergonzado.

15. Me sentía mal por haber abandonado a mis amigos en el bar y al mismo tiempo por dejar a Juan Manuel fuera del bar. Juan Manuel se quedó conmigo hablando en la calle por unos 30 minutos. Le pregunté dónde iba a ir y me dijo que no sabía. Finalmente tomó un taxi y se fue. No sabía dónde iba a ir.

16. No supe nada de Juan Manuel hasta la mañana del domingo 19 de febrero porque la batería de mi celular se murió. No escuché más de él hasta días después, cuando me escribió por Facebook Messenger que estaba en otro lugar de México viviendo con familiares.

17. Desde entonces, Juan Manuel y yo hemos hablado varias veces. Una vez me preguntó si mi madre sabía sobre él y su situación. Lo interpreté como que estaba preocupado de que mi madre no lo iba a querer porque no vivía legalmente en los Estados Unidos. Ha quedado muy afectado por haber sido deportado.

18. Juan Manuel es muy tímido y se avergüenza con facilidad. Yo siempre le digo que no tiene por qué avergonzarse de nada. Creo que Juan Manuel es un

hombre decente y trabajador. Hasta donde yo sepa, no toma ni fuma, ni se mete en líos.

19. No tengo ninguna razón para creer que Juan Manuel hubiera cruzado la frontera a Mexicali voluntariamente. Siempre me dijo que tenía un permiso para estar en los Estados Unidos, pero que no podía viajar a México. Me quedó claro cuando lo vi esa noche que estaba en estado de shock por haber sido deportado. Estaba controlando sus lágrimas y me pareció muy asustado por lo que le iba a pasar. Declaro bajo pena de perjurio que lo anterior es verdadero y correcto a mi mejor saber y entender.

Firmado este 15 de Julio de 2017 en Fallbrook, California.

Leslie I Ramirez U.
Leslie Itzel Ramírez Vega